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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF THE

STATE OF MISSISSIPPI,

AT THEIR

SIXTEENTH SESSION,

HELD IN THE

TOWN OF JACKSON.

PUBLISHED BY AUTHORITY.

JACKSON:

PRINTED BY PETER ISLER.

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1833

JOURNAL

OF THE

HOUSE OF REPRESENTATIVES,

BEGUN and held at the State House of the State of Mississippi, in the town of Jackson, on Monday, the seventh day of January, in the year of our Lord one thousand eight hundred and thirty-three, and of the Independence of the United States of America the fifty-seventh, it being the first session of the Legislature of the State held under the revised Constitution, and form of government thereof. On which day, being the day appointed for holding the first session of the Legislature of said State, under the Constitution as revised in Convention on the twenty-sixth day of October, 1832, and a quorum of members appearing:

On motion of Mr. Vangerson,

Mr. Joseph Dunbar, a member from the county of Jefferson, was called to the chair, and John H. Mallory appointed Clerk, *pro tem*:

Whereupon,

The Chairman administered the oath prescribed in the Constitution to the members present, who produced their credentials, viz:

From the County of Adams—Adam L. Bingham, William Vannerson.

Amite—David Pemble, Wm. Vannorman.

Claiborne—John A. Barnes.

Copiah—Barnabas Allen.

Covington—Elam S. Ragan.

Franklin—Orin Shurtleff.

Green—David McRae.

Hinds—Alex. Morrison, Wm. C. Demoss.

Jackson—John McDonald.

Jefferson—Philip Dixon.

Jones—Samuel Ellis.

Lawrence—A. M. Keegan.

Lowndes—Tilghman M. Tucker.

Marion—Charles D. Learned.

Monroe—John Bell.

Perry—Abner Carter.

Pike—William G. Martin, Jesse Harper.

Rankin—N. G. Howard.

Simpson—James Powel.

Warren—William Vick.

Washington—Robert P. Shelby.

Wayne—John A. Edwards.

Wilkinson—Gordon D. Boyd, Francis Richardson.

Yazoo—David W. Vance, James C. Bole.

The same oath was then administered to Mr. Joseph Dunbar, the Chairman, by Mr. Philip Dixon.

On motion of Mr. Howard,

Resolved, That this House do forthwith proceed to the election of a Speaker by ballot, and that Messrs. Vick and Dixon be appointed tellers.

The ballot being taken, the result was reported by Mr. Vick, one of the tellers appointed to examine the ballots, as follows:

For Joseph Dunbar,	3 votes.
" Adam L. Bingaman,	6 "
" A. M. Keegan,	9 "
" David Pemble,	12 "
" Blank,	1 "

The number of ballots having been thirty-one, and sixteen requisite for a choice, there was no election by this ballot.

A second ballot was therefore taken, which resulted as follows:

For Joseph Dunbar,	2 votes.
" Adam L. Bingaman,	7 "
" A. M. Keegan,	9 "
" David Pemble,	12 "
" Blank,	1 "

There being no election by this ballot, and Mr. Dunbar having announced that he was not a candidate for Speaker, and did not wish again to be voted for, for that office, a third ballot was taken, the result of which was as follows:

For Adam L. Bingaman,	6 votes.
" A. M. Keegan,	9 "
" David Pemble,	13 "
" N. G. Howard,	1 "
" Blank,	2 "

There being no election by this ballot, and Mr. Howard having announced to the House, and the friend who had voted for him, that he was not a candidate for the office of Speaker;—and hoped the House would select some person much more capable for that office, a fourth ballot was taken, which resulted as follows:

For Adam L. Bingaman,	6 votes.
" A. M. Keegan,	8 "
" David Pemble,	14 "
" Blank,	3 "

There being no election by this ballot, the House, on motion of Mr. Vannerson, took a recess till 2 o'clock, P. M.

2 O'CLOCK, P. M.

Mr. John Beasley, a member from the county of Copiah, and Mr. Andrew B. Beatie, the member from the county of Madison appeared, produced their credentials, were qualified and took their seats in the Hall.

The House then proceeded again to ballot for a Speaker, which resulted as follows:

For Adam L. Bingaman,	8 votes.
" A. M. Keegan,	12 "
" David Pemble,	9 "
" Blank,	4 "

There being no election by this ballot, a sixth ballot was taken, which resulted as follows:

For Adam L. Bingaman,	8 votes.
" A. M. Keegan,	12 "
" David Pemble,	10 "
" Blank,	3 "

There being no election by this ballot, a seventh ballot was taken, which resulted as follows:

For A. L. Bingaman,	9 votes.
" A. M. Keegan,	12 "
" David Pemble,	10 "
" Blank,	2 "

There being no election by this ballot, an eighth ballot was taken, the result of which was as follows:

For Adam L. Bingaman,	9 votes.
" A. M. Keegan,	12 "
" David Pemble,	9 "
" William Vannerson,	1 "
" Blank,	2 "

There being no election by this ballot, a ninth ballot was taken, which resulted as follows:

For Adam L. Bingaman,	7 votes.
" A. M. Keegan,	15 "
" David Pemble,	8 "
" N. G. Howard,	1 "
" Blank,	2 "

There being no election by this ballot, Mr. Bingaman announced to the House that he did not desire any longer to be voted for, for Speaker.

Whereupon,

Mr. Benjamin F. Stockton, a member from the county of Claiborne appeared, produced his credentials, was qualified, and took his seat in the Hall.

The House then proceeded to ballot a tenth time for Speaker. The following is the result:

For A. M. Keegan,	14 votes.
" David Pemble,	17 "
" Blank,	3 "

There being no election by this ballot, the House proceeded to ballot the 11th time, which resulted as follows:

For A. M. Keegan,	16 votes,
“ David Pemble,	16 “
“ Blank,	2 “

There being no election by this ballot, the House proceeded to ballot the 12th time—the result of which was as follows:

For A. M. Keegan,	16 votes.
“ David Pemble,	16 “
“ Blank,	2 “

There being no election by this ballot, it was moved by Mr. Bell, that the House take a recess until 9 o'clock, A. M. to-morrow; and the question being taken thereon, it was decided in the negative. It was then moved by Mr. Bingaman, that the House take a recess until 7 o'clock this evening, and the question being taken thereon, it was decided in the negative.

The House then proceeded to ballot the 13th time for Speaker, which resulted as follows:

For A. M. Keegan,	15 votes.
“ David Pemble,	17 “
“ Blank,	2 “

There being no election by this ballot, the House proceeded to a 14th ballot—the following was the result.

For A. M. Keegan,	14 votes.
“ David Pemble,	17 “
“ Scattering,	3 “

There being no election by this ballot, the House proceeded to a 15th ballot—which resulted as follows:

For A. M. Keegan,	15 votes.
“ David Pemble,	18 “
“ Blank,	1 “

Mr. David Pemble having received a majority of the votes, it was announced by the Chairman that he was duly elected; and having been conducted to the chair, by Mr. Philip Dixon and Mr. William Vick, he addressed the House upon the subject of his appointment, and proceeded to the discharge of his official duties.

On motion of Mr. Howard,

The following resolution was adopted:

Resolved, That this House do forthwith proceed to elect a Clerk by ballot, under the same tellers.

On counting the ballots, Mr. Vick, one of the tellers, reported that John H. Mallory had received a unanimous vote—whereupon, the Speaker announced that Mr. Mallory was duly elected Clerk; who having been duly qualified, took his seat at the clerk's table.

Mr. Burel B. Brewer, the member from the county of Hancock, appeared, produced his credentials, was qualified and took his seat in the hall.

On motion of Mr. Vannerson,

The House proceeded to elect a Door Keeper, under the same tellers, and upon counting the ballots, it appeared that

Lewis Whitesides had

33 votes.

Scattering

2 "

Whereupon,

The Speaker announced that Lewis Whitesides was duly elected door keeper, who gave his attendance accordingly.

On motion of Mr. McDonald,

Resolved, That the Clerk inform the Senate, that the House of Representatives have convened, formed a quorum, elected David Pemble their Speaker, John H. Mallory Clerk, and Lewis Whitesides Door Keeper, and that they are now ready to proceed to business.

On motion of Mr. Vannerson,

The following resolution was adopted:

Resolved, That this House meet at 9 o'clock, A. M. on each day of the session until otherwise ordered.

Mr. McDonald submitted the following resolution:

Resolved, That with the concurrence of the Senate, a committee be appointed on the part of this House, to meet a similar one from the Senate, to wait on His Excellency the Governor, and inform him that the two Houses have convened, appointed their officers, and are now ready to receive any communication he may be pleased to make to them.

Mr. McDonald moved that the rule requiring joint resolutions to lie one day on the table be dispensed with, and that said resolution be read a second time forthwith and adopted.

Mr. Keegan moved, that said resolution lie on the table; and the question being taken thereon, it was decided in the affirmative.

And then the House adjourned.

Tuesday, January 8, 1833.

The House met pursuant to adjournment—

When the Speaker, according to the rules of the House, appointed the following standing committees, viz.

Mr. Edwards,

Ellis,

Beatie,

Martin,

Shurtleff,

} *Committee of Elections.*

Mr. Bingaman,

Tucker,

McDonald,

Morrison,

Richardson,

} *Committee of Ways and Means.*

Mr. Bell,
Leained,
Vannorman;
Benson,
Vick,

Committee of Claims.

Mr. McRae,
Shelby,
Powel,
Beasley,
Harper,

Com. of Revisal and Unfinished Business

Mr. Dunbar,
Barnes,
Bole,
Carter,
Allen,

Committee of Accounts.

Mr. Dixon,
Vance,
Ragan,
Demoss,
Brewer,

Com. of Propositions & Grievances.

Mr. Keegan,
Boyd,
Vannerson,
Dixon,
Howard,

Committee on the Judiciary.

Mr. Stockton;
Boyd,
Edwards.

Committee on Enrolled Bills.

Mr. Howard submitted the following resolutions, which were ordered to lie on the table:

Whereas, one of the principal objects of the present legislature is to organize the government of our state, under the revised Constitution, therefore,

1. Resolved, That so much of the revised Constitution, as relates to the *Bill of Rights*, be referred to a committee of members, to report whether any, and if any, what legislative enactments are necessary, to carry the same into effect.

2. Resolved, That so much of the revised Constitution as relates to the *Legislative Department*, be referred to a committee of members, to report whether any, and if any, what legislative enactments are necessary to carry the same into effect.

3. Resolved, That so much of the revised Constitution as relates to the *Executive Department*, be referred to a committee of members to report whether any, and if any, what legislative enactments are necessary to carry the same into effect.

4. Resolved, That so much of the revised Constitution as relates to the *Judiciary Department*, be referred to a committee of members to report whether any, and if any, what legislative enactments are necessary to carry the same into effect.

5. Resolved, That so much of the revised Constitution, as relates to the General Provisions, be referred to a committee of members, to report whether any, and if any, what legislative enactments are necessary to carry the same into effect.

On motion of Mr. Keegan, the following resolution was adopted:

Resolved, That the rules for the government of this House at its last session, be the governing rules at this session.

On motion of Mr. Keegan, the vote taken on said resolution was reconsidered, whereupon the question was taken on its readoption and decided in the affirmative.

Mr. Vannerson submitted the following resolution:

Resolved, That copies of the rules for the government of both Houses be printed for the use of the members.

Mr. Howard moved, that said blank be filled with the words one hundred.

Mr. Bingaman moved that said resolution lie on the table, and the question being taken thereon, it was decided in the affirmative.

Mr. Vannerson submitted the following resolution, which, according to the rules of the House, lies one day on the table.

Resolved, With the concurrence of the Senate, that the joint rules for the government of both Houses, which governed the last session of the general assembly of this state, be adopted at the present session.

The House then, on motion of Mr. Shurtleff, took a recess until 11 o'clock, A. M.

11 O'CLOCK, A. M.

On motion of Mr. Vannerson,

The following resolution was adopted:

Resolved, That the Clerk of this House have power to appoint one reading Clerk, and such other subordinate clerks, as may be necessary for the prompt discharge of his duties.

A message from the Senate by Mr. Gilbert, their reading Clerk.

MR. SPEAKER—

I am directed to inform you that the Senate have organized, chosen Charles Lynch, Sr. President of that body, David Dickson their Secretary, Joseph Pierce their Door Keeper, and are ready to receive any communication they may think proper to make.

And then he withdrew.

On motion of Mr. Keegan,

The House proceeded to the consideration of a resolution, proposing to appoint a committee on the part of the House, to meet a similar one from the Senate, to wait on His Excellency the Governor, and inform him that the two Houses have convened, appointed their officers, and are now ready to receive any communication he may be pleased to make to them.

And thereupon,

Said resolution was read a second time and adopted.

The committee appointed were Messrs. McDonald, Vannerson and Tucker.

Ordered, that the Clerk carry said resolution to the Senate, and request their concurrence therein.

On motion of Mr. Dunbar,

The House proceeded to the consideration of the joint resolution, proposing that the joint rules for the government of both Houses, at the last session of the general assembly of this state, be adopted at the present session.

Whereupon,

On motion of Mr. Dunbar,

The rule requiring joint resolutions to lie one day on the table, was dispensed with, and said resolution was read a second time and adopted.

On motion of Mr. Howard,

The House proceeded to the consideration of the resolution proposing that copies of the rules for the government of both Houses, be printed for the use of the members.

And thereupon,

On motion of Mr. Keegan,

It was ordered that said resolution lie on the table.

A Message from the Senate by Mr. Gilbert, their reading Clerk.

MR. SPEAKER,

I am directed to inform you that the Senate have concurred in the resolution from this House, for the appointment of a joint committee to wait on His Excellency the Governor, and inform him that the Houses have organized, appointed their officers, and are ready to receive any communication he may be pleased to make to them; and on their part appointed Messrs. Love, Morgan and Harris. And then he withdrew.

Mr. Bingaman gave notice that he will on to-morrow ask leave to introduce a resolution to dissolve the bonds of matrimony between R. L. Smith and Mary Smith.

On motion of Mr. Bell, the following resolution was adopted:

Resolved, That the door-keeper of this house be instructed to furnish the representative chamber with twenty copies of the Revised Code, and also twenty copies of the Acts of each session of the General Assembly since the year 1823; ten copies of the Journal of this House at its last session, ten copies of the Journal of the late Convention, and a copy for

each member of this House, of the Revised Constitution, and that the Secretary of State be required to deliver the same to the door-keeper.

And then, on motion of Mr. Shurtleff,

The House adjourned until 2 o'clock, P. M.

2 O'CLOCK, P. M.

The House met pursuant to adjournment—

When the following message was received from the Senate, by Mr. Gilbert, their reading Clerk.

MR. SPEAKER,

I am directed to inform you that the Senate have passed a resolution that the joint rules adopted for the government of the two Houses at the last session be adopted for the government of the same at the present session—in which resolution they ask the concurrence of this House.

And then he withdrew.

Whereupon,

On motion of Mr. Keegan,

It was ordered that the House do concur in said resolution.

Ordered that the Clerk acquaint the Senate therewith.

On motion of Mr. Bingaman,

The House proceeded to consider the resolution proposing that copies of the rules for the government of both Houses be printed for the use of the members.

Whereupon,

The question was taken on the amendment, submitted by Mr. Howard, proposing to fill the blank in said resolution with the words "one hundred," and decided in the affirmative.

It was then moved by Mr. Keegan, further to amend said resolution as follows:

Add after the word "of" to the word "be" the words "this House and the joint rules for the government of both Houses."

And the question being taken thereon,

It was decided in the affirmative.

The question was then taken on the adoption of said resolution as amended,

And passed in the affirmative.

Mr. McDonald from the committee, appointed on the part of this House, to join the committee on the part of the Senate to wait on His Excellency the Governor, and inform him that quorums of the two Houses have assembled, and that the Legislature is ready to receive any communication he may be pleased to make—

Reported that the committee had waited on His Excellency, accordingly, and that His Excellency answered, that he would make a communication to the Legislature on this day at 2 o'clock, P. M.

The following written message was then received from His Excellency the Governor, by A. Albert Allen, Esq. his private Secretary:

FELLOW CITIZENS OF THE SENATE
AND HOUSE OF REPRESENTATIVES:

Permit me to tender to you my most sincere congratulations upon your safe arrival at the Seat of Government, and to express a confident hope that the solemn responsibilities which at this important juncture devolve upon you as the legislative functionaries of the State, may be met in a becoming spirit, and that the results of your deliberations may be found in the increased prosperity of your constituents.

Assembled under the auspices of a new constitutional compact, let me ask of you, on this occasion, to join with me, and in our own names, and on behalf of our constituents, to offer up to the Great Author of Nature, the most profound homage and fervent gratitude, for the many signal blessings which, as a united people, and as a distinct Republic, we have received at his hands, and to beseech him "who hath not dealt so with any other nation," to continue his watchful and bountiful Providence over this our favored land.

The events now in progress, the circumstances under which you have been called together, and the objects of your assembling, are well calculated to impress us with a just estimate of the value and extent of our rights as a political community, and of the fearful responsibilities under which we are required to act.

Representing a youthful and enterprising State, which, with a fearlessness of consequences and in a spirit of reform, characteristic of the age in which we live; throwing aside many of the received doctrines of the existing school of politics, and advancing boldly upon the field of experiment, in the organization of its government has pushed to its utmost verge the doctrine of popular rights, your duties will be equally delicate, difficult and important—Assembled under the auspices of the Constitution thus recently remodeled, your wisdom will first be taxed to supply, by legislation, the means of giving to its various provisions, fair, ample, and impartial operation. Whatever difference of opinion may exist, in relation to the expediency of the novel doctrines infused into the fundamental law of Mississippi, in your patriotism I have the best assurance, and in your wisdom the surest guarantee that *that* efficiency and direction which is best calculated to advance the glory and prosperity of our country will be given to it.

Commencing, as it were, a new term of political existence, unshackled by the prejudices, errors and forms which, in old communities, sanctified by time and strengthened by habit, too often acquire the force and energy of nature, we may deliberate with calmness and equanimity upon the course proper for us to pursue. By consulting the history of the past, the most salutary lessons may be learned; and by avoiding those errors of policy which have thwarted the hopes, arrested the progress, and destroyed the prosperity of free States, we may found the glory of our own upon the most imperishable basis.

To obtain and to perpetuate the possession of civil and religious liber-

ty, should form the grand object of all constitutional arrangements, and constitutes the chief end and scope of the instrument, under the authority of which I have now the honor of communicating with you. To the attainment of this end, a certain degree of intelligence diffused throughout the constituent body, is essentially necessary. He who understands not his own rights, knows not when or how to protect them, and is equally ill prepared to respect the rights of others. As therefore, the diffusion of intelligence among a people, is confessedly necessary to enable them not only to enjoy the blessings of a free government, but to protect and defend their liberties, it becomes the first great duty of a Republic to provide for all its members the means of instruction. The recent changes made in the organic law of the land, by which greater privileges are conferred upon, and higher duties required of the citizen, make this obligation, if possible, still more imperious. It was in a spirit of profound wisdom, dictated by the Convention, that "schools and the means of education shall forever be encouraged in this State." The propriety will readily suggest itself to you of immediately (by legislative enactment) laying the foundation of a general system of Schools and Academies, so organized that the means of instruction may be placed within the reach of the poorest of our citizens. It is for me only to hold the subject up to your attention; to you belong the power of creating the means, and the wisdom of applying them in the most judicious manner.

Next to the paramount object of education, it may not be thought improper for you to deliberate upon the best means of increasing the value and amount of the products of agricultural labor. It is obvious that this can only be done by cheapening and facilitating the means of transportation between the various agricultural sections and commercial points in this State. The labor which, under existing circumstances, is necessarily expended in transporting the productions of our industry from the farm to the market, forms a heavy tax upon the productions and labor of this community. It may therefore be regarded as one of the great duties of the State, by the intervention of a judicious system of internal improvement, founded upon principles of equality, as it respects the several sections of our country, to give full effect to the labor of her citizens, and full value to their products, by facilitating the intercourse among them, by diminishing the quantum of labor consumed in the conveyance; and lastly, by drawing forth for their happiness all of the physical advantages of the country. Partial appropriations to attain this object might be declaimed against as unjust, and the precipitate adoption of a defective plan for the same purpose, would be fraught with the most disastrous consequences. In your action upon this subject, I feel assured that you will calmly and deliberately survey the whole ground, and that you will scrutinize the policy of making any appropriations for this purpose, unless in execution of a general and well digested system.

The Planters Bank, from its peculiar organization, being intimately connected with the interest of the State, will receive that share of your atten-

tion, which its importance may demand. By the charter of this institution, the State is permitted to become a stockholder to the amount of \$2,000,000. State bonds, pursuant to a supplemental act, were sold, and the proceeds vested in stock: the three per cent. fund as it has become available, and a portion of the literary fund, have respectively been vested in stock in said bank, making together with the proceeds of the sales of State bonds the sum of \$5,25,900. Of the two millions worth of stock reserved for the State in this bank, there therefore still remain \$1,474,100 00 yet vacant. The question now presents itself to you whether it is expedient at this time to order a farther sale of State bonds, and if so, to what amount? for the purpose of investing the proceeds thereof in the vacant stock of the State. It may be of some importance to you to give your attention to this subject. It is an object of primary importance with every community which has made the first step in civilization to preserve the currency in a sound and healthful state, and to prevent wild and gambling speculations, by checking improper drains of paper circulation.

It will not be asserted that the circulating medium is at this time too extended. Assuming then that the present amount of circulating medium in the State of Mississippi is adequate to give the requisite facilities to every branch of industry, there may yet be circumstances which make it imperative upon you to provide for an extension of the circulation of this Bank. It is now believed to be certain that the charter of the U.S. Bank will not be renewed: The large amount in circulation supplied by the branch of that bank in this State must therefore be speedily withdrawn. It will readily present itself to your mind, that the sudden withdrawal of so large an amount of money from the circulation of this State must produce the most disastrous consequences, unless prevented by timely legislation on your part. The gradual extinguishment of the debt due by our citizens to the Bank of the State of Mississippi will create additional wants for banking facilities, and open an extensive field for banking operations. Add to these considerations the fair calculation that our wealth and population will in a very limited time be doubled by emigration to our newly acquired territory, and it would appear that the policy is unquestioned which dictates a further sale of State bonds, first with a view to prevent a sudden diminution of our circulation, and secondly to extend it. Permit me to direct your attention to the charter of this Bank, which, upon investigation, may appear to you to require amendment. The charter provides that the Governor on the part of the State shall have the power of appointing, subject to the rejection or confirmation of the Senate, seven out of thirteen of the Directors. The right thus conferred upon the Executive and Senate makes this institution essentially a Government Bank. This feature (as by the plan the State was the largest owner of stock) was inserted in conformity with the 9th section of the 6th article of the old constitution, which required a reservation of the right, on the part of the State, to appoint Directors in any

banking institution, in number proportioned to the amount of stock owned by the State in such bank. Experience has abundantly tested the truth of the observation, that government banks are injurious to the morals and liberties of a state, and dangerous to the interests of individual stockholders. So firmly is its truth established with the commercial and banking portions of our community, that a large quantity of the private stock of this Bank remains, and will remain vacant, (although it has commenced its operations under the fairest auspices and been conducted, up to the present moment, with the most consummate skill,) unless this feature shall become altered. It is believed upon the best assurance that if you shall, in the exercise of your legislative discretion, deem it expedient to alter this feature of the corporation, so as to give to individual stockholders a preponderance in the direction, the vacant shares of this bank will be immediately appropriated, and the stock assume the first character in the market. It is obvious to you that the welfare of the State is deeply involved with the fate of this Bank, regarded not only as an instrument by which its agricultural and commercial interests may be materially affected, but as a powerful and effective means for the production of revenue. It may therefore be expected that, in the exercise of your legislative powers, you will be careful to throw around it the best guards for its faithful and judicious management. It is believed that this end will be more certainly attained by confiding its administration to the hands of those whose interest will be identified with that of the State regarded in the light of a private stockholder, than by committing it to the management of any mere agents appointed on the part of the government. It would be unreasonable in the State to hope for a greater degree of prudence and good faith in the administration of its affairs, than is displayed by prudent individuals in the management of their own private concerns.

Under the provisions of the charter, as it now stands, each individual stockholder is entitled to one vote for each share of stock owned by him: If the right to elect a majority of the Directors be given to the stockholders, it would appear prudent likewise to alter the feature above alluded to. It is evident that if this alteration be not also made a few individuals might control the election of a majority of the whole Directors. By the adoption of a judicious scale for voting applied to this subject the apprehended evil may be effectually prevented.

By an act passed 19th December, 1831, authorising the Bank of the State of Mississippi, to close its concerns, it is made the duty of the Directory by the 31st day of Dec. 1832; to reduce their loans three hundred thousand dollars; in consequence of which, I am advised that a corresponding amount of the capital stock (perhaps from twenty to twenty-five per cent) will be paid off in a short time; and it is presumable that a similar amount will be paid off during the ensuing year. The State being a large stockholder, it becomes my duty to invite your attention to the expediency of investing in the stock of the Planters' Bank, the sums expected to be thus received.

There was in the Treasury on the 10th day of November, 1831, \$42,440 47. Received between that time and the 1st of January inst. \$63,732 17, which make the sum of \$106,172 64. Audited between the above periods \$91,322 16 3-4, leaving a balance in the Treasury on the 1st of January, 1833, of \$14,850 47 1-4.

The accounts and vouchers in regard to the contingent fund will be ready for the inspection of the committee of Accounts.

The location of the Seat of Government, by the Convention, has necessarily made the public lots in the town of Jackson an object of great importance. As it may appear expedient to the Legislature, to meet expenditures for public buildings that may hereafter be ordered, from the proceeds of the sales of said lots and to afford to individuals, who may feel disposed to become citizens, an opportunity of purchasing, a judicious policy would seem to dictate a disposition of, at least, a portion of them prior to the termination of your present session.

Pursuant to a resolution passed at the last session of the General Assembly, in relation to the subject of a Penitentiary, commissioners were appointed whose report will be laid before you in a few days. Their labours have been bestowed in reference to a subject of the gravest importance to this young and growing republic. The expediency of the Penitentiary system has been doubted by many philosophical philanthropists and enlightened statesmen. It will be for you to avail yourselves of the experience of the past, and carefully and dispassionately weighing the arguments for and against the policy to decide according to the dictates of wisdom.

The law passed at the last session of the Legislature, requiring the Executive to appoint three assistant Quarter Masters General, and to establish three additional depots for the public arms and accoutrements of the State, has been complied with.

The rapid emigration of the Choctaws, to their homes in the west, will in a very limited time leave us in undivided possession of the territory acquired by contract from them by the General Government. Whatever difference of opinion may exist as to the right of the State to the unappropriated lands within its boundaries, it is apprehended that all agree in asserting the authority of the State to extend its jurisdiction over the territory thus passing from Indian occupancy. As right and duty are inseparably connected, it devolves upon you, as the legislative guardians of the State, to provide by early enactment for the government and protection of those who have, or may hereafter become residents of this section of the domain of the State of Mississippi.

A correspondence in reference to the boundary line between this State and the State of Tennessee, has been opened with me by his Excellency Governor Carroll, a copy of which is herewith transmitted. A respectful attention is due to a communication emanating from so high a source, and in reference to a topic of such deep interest to our constituents. By the accompanying copy of the correspondence you will be made ac-

quainted with its nature and bearings. A proper regard for our own rights, and those of our sister States, will doubtless dictate the course you should pursue.

Resolutions from the State of Louisiana relative to fugitive slaves, and a contemplated rail road from New-Orleans to Washington City, accompanied by a letter from his Excellency Gov. Romain; and also resolutions adopted by the Legislatures of the States of Maine and New-Hampshire denying the power of the General Government to prosecute a system of internal improvement, and, recommending to it a reduction of the duties on imposts to a standard adequate, only, to defray the ordinary and necessary expenses of the Government, are herewith respectfully submitted to your consideration. Our own Legislature, in the year 1829, resolved that the tariff law of 1828, "Is contrary to the spirit of the Constitution of the United States, impolitic and oppressive in its operation upon the southern States and should be resisted by all Constitutional means." Such were then and are now believed to be, the feelings and sentiments of a large majority of the people of the State. Resolutions similar to the one last referred to, have been adopted by several of the other southern States. Indeed, there seems to be but little difference of opinion, upon this subject, among the people of the south generally. Yet strange as it may appear, the General Government has persisted in this most unjust and oppressive system, until one of the States, affording the purest patriots, and most talented statesmen, has been induced to believe that no relief was to be expected, and has entered upon a course which seems to threaten a dissolution of the Union. It is hoped, however, that Congress, will at their present session, so modify the obnoxious law as to restore harmony and good feeling, once more, between the different sections of our beloved country.

Sincerely hoping that your deliberations may be characterized by a spirit of mutual concession in all matters involving interests of a local nature, and that all subjects of a public nature on which you may have to act, may be disposed of at as early a period as may be consistent with the public welfare, I tender you my cordial co-operation in every measure calculated to promote the prosperity, the happiness, and the glory of our country.

A. M. SCOTT.

Jackson, January 8th, 1833.

The message with the accompanying documents being read,

A motion was made by Mr. Bell, that the same do lie on the table, and that five hundred copies of the said message be printed for the use of the members of the house.

A division of the question being called for by Mr. Bingaman—

It was first taken on the first proposition of said motion, to lay the said message and accompanying documents on the table,

And passed in the affirmative.

The question then recurred on the second proposition of said motion,

proposing that five hundred copies of said message be printed for the use of the members of the House.

Whereupon,

It was moved by Mr. Bingaman, that the same be amended as follows: Strike out the words "five hundred" and insert in lieu thereof the words "one thousand;" and the question being taken thereon,

It was decided in the affirmative.

It was then ordered,

On motion of Mr. Richardson,

That a select committee of three members be appointed to examine the documents, accompanying the said message and report to this House, such parts thereof as should be printed.

And in pursuance thereto, Messrs. Richardson, Bingaman and Bell were appointed.

And then the House adjourned.

Wednesday, January 9, 1833.

The House met pursuant to adjournment.

Mr. McDonald presented the petition of sundry citizens of Jackson county, praying that "An act may be passed" to permit persons residing without the State, to keep stocks of Cattle within the State free from taxation.

On motion of Mr. McDonald,

Ordered, that said petition be referred to a select committee of three members, and in pursuance thereto, Messrs. McDonald, Learned and Morrison were appointed.

Mr. Barnes presented the petition of sundry citizens of Claiborne county, praying the passage of an act, authorizing Mary Anne, a free woman of colour, and her three children to reside within the State.

On motion of Mr. Barnes,

Ordered, that said petition be referred to a select committee, with instructions to report by bill or otherwise.

Whereupon,

Messrs. Barnes, Howard and Bole were appointed.

Mr. Barnes presented the petition of Francis B. Tompkins, praying the passage of an act, making his illegitimate son Robert Coleman, his legitimate heir, and changing his name to Robert Francis Tompkins.

On motion of Mr. Barnes,

Ordered, that said petition be referred to a select committee of three members—and in pursuance thereto,

Messrs. Barnes, Dixon and Vick were appointed.

Mr. Vannerson presented the petition of W. W. Calmes, Jailor of

Adams county; together with an account for the sum of eighty-five dollars and sixty cents, for keeping and sustaining in the Jail of said county, John Johnson, a white man charged with the crime of murder, and William Steele, a white man, charged with the crime of burglary.

Mr. Vannerson moved that the same be referred to a select committee, with instructions to report by bill or otherwise;

And the question being taken thereon,

It was decided in the negative.

It was then moved by Mr. Vannerson, that that part of the petition which relates to Legislative enactment be referred to the committee on the Judiciary, and that the remaining part thereof, together with the accompanying account, be referred to the committee of claims.

Mr. Tucker moved that the same be rejected.

And the question being taken thereon,

It was decided in the negative.

The question then recurred on Mr. Vannerson's motion;

And a division thereof being demanded,

It was first taken on the proposed reference to the committee on the Judiciary,

And decided in the affirmative.

It was then taken on referring the said accounts to the committee of claims; which was also decided in the affirmative.

Mr. Morrison presented the petition of Thomas Griffin, guardian of George I. Griffin, praying the passage of an act, extending to the said George I. Griffin the age of majority.

On motion of Mr. Morrison,

Ordered, that said petition be referred to a select committee of three members;

And in pursuance thereto,

Messrs. Morrison, Harper and Bell were appointed.

Mr. Boyd presented the petition of John H. Randolph, praying the passage of an act, extending to him the age of majority.

On motion of Mr. Boyd,

Ordered, that said petition be referred to a select committee of three members.

Whereupon,

Messrs. Boyd, Richardson and Stockton were appointed.

Mr. Richardson from the select committee to whom was referred the documents accompanying the Governor's message, with instructions to select such as should be printed—

Reported that they had performed that duty, and selected those marked No. 1, 2, and 3, for publication.

On motion of Mr. Bingaman,

Ordered, that said report be received and agreed to.—And that the said documents be printed and appended to the several copies of the Governor's message, ordered on yesterday to be printed,

Mr. Dunbar gave notice that he will on to-morrow, ask leave to introduce a bill to be entitled

"An act" to emancipate and set free two slaves, belonging to the estate of the late David Holmes, deceased, former Governor of this state.

Mr. Harper gave notice that he will on to-morrow, ask leave to introduce a bill to be entitled

"An act" to repeal a part of an act, entitled an act to amend an act, entitled an act to reduce into one the several acts, concerning slaves, free negroes and mulattoes, passed June 18th, 1822.

Mr. Boyd moved the adoption of the following resolution:

Resolved, That this House proceed to ballot for a suitable person to report their proceedings and debates, for the use of this House, and the several newspapers printed in this state.

Mr. Bole moved that said resolution be rejected;

And the question being taken thereon,

It was decided in the affirmative.

A message from the Senate, by Mr. Gilbert, their reading clerk.

MR. SPEAKER—

In conformity to the joint rules of the two Houses; the President of the Senate has made the following appointments:

Mr. Higginson—*Joint Committee on Enrolled Bills.*

Messrs. Gordon, Smith and Love—*Joint Committee on Accounts.*

Messrs. McLeod, Morgan, Prosser—*Joint Committee on Claims.*

And then he withdrew.

On motion of Mr. Dunbar,

The vote taken on the joint resolution, proposing that the joint rules for the government of both houses at the last session of the general assembly of this state, be adopted at the present session, was reconsidered.

Whereupon,

On motion of Mr. Dunbar,

It was ordered that said resolution lie on the table.

Mr. Bingaman, according to notice given, asked and obtained leave to introduce a resolution to sanction and confirm the decree of the Chancery Court of this state, dissolving the bonds of matrimony between R. L. Smith and Mary Smith.

Which was read the first time.

Mr. Vannerson asked and obtained leave to introduce a bill to be entitled

An act to dispense with the time required by law for George W. Nevitt, of Adams county, attaining the age of majority.

Which was read the first time.

On motion of Mr. Howard, the following resolution was adopted:

Resolved, that Z. T. Lyons, Esq. editor of the Mississippi Intelligencer, a newspaper to be printed at Jackson, be admitted to a seat within the bar of this House, for the purpose of taking minutes of the debates thereof.

On motion of Mr. Keegan,

The vote taken on said resolution was re-considered.

Whereupon,

Mr. Keegan moved, that the same be amended as follows:

Amend by adding at the end of said resolution, the words to wit: "to be published weekly in said paper, under the inspection of a committee of three members."

The yeas and nays on said amendment being demanded by Mr. Howard and two of the members present,

A debate arose—

When Mr. Keegan asked and obtained leave to withdraw said amendment.

Whereupon,

The question was taken on the re-adoption of said resolution,

And decided in the affirmative.

A message from the Senate, by Mr. Gilbert, their reading Clerk.

MR. SPEAKER:

The Senate have given leave to introduce bills of the following titles, viz:

A bill to be entitled, an act to emancipate a certain slave therein named.

And a bill to be entitled an act to dissolve the bonds of matrimony between Eliza Moore and William Moore.

A bill to be entitled an act to take the Census of the state of Mississippi, for the year 1833.

And a bill to be entitled an act to prohibit the introduction of slaves into the state of Mississippi, as merchandise or for sale, from and after the first day of May, 1833.

And then he withdrew.

On motion of Mr. Keegan,

The House proceeded to consider the resolutions submitted by Mr. Howard, which were ordered to lie on the table, proposing to refer the 1st, 3rd, 4th, 5th and 7th articles of the revised Constitution to committees of members, to report whether any, and if any, what legislative enactments are necessary to carry the same into effect.

Whereupon,

It was moved by Mr. Bingaman, that the same be amended as follows:

Strike out after the word Resolved, in line 4th, and insert the words to wit:

"With the concurrence of the Senate, that the following joint committees of both Houses be appointed, to consist of members each, from this House, and of the Senate, to take into consideration the articles of the Constitution, hereinafter specified, and to prepare and report such bills thereon, as they may deem necessary, to carry into effect such of the provisions of the said articles as it is made the duty of this legislature to regulate by law.

1st. A joint committee on the 1st article.

2nd. A joint committee on the 3rd article.

3rd. A joint committee on the 4th article.

4th. A joint committee on the 5th article.

5th. A joint committee on the 7th article."

Mr. Learned moved to reject said amendment.

And the question being taken thereon,

It was decided in the negative.

The yeas and nays being demanded by Mr. Howard and two other members,

Those who voted in the affirmative are—

Messrs. Allen, Beatie, Bell, Boyd, Brewer, Carter, Demoss, Howard, Learned, Morrison, Shurtleff—11.

Those who voted in the negative are—

Messrs. Speaker, Barnes, Beasley, Bingaman, Bole, Dunbar, Dixon, Edwards, Ellis, Harper, Keegan, Martin, McRae, McDonald, Powel, Ragan, Richardson, Shelby, Stockton, Tucker, Vance, Vick, Vannerson, Vannorman—24.

The question was then taken on the adoption of said amendment,

And passed in the affirmative.

The question was then taken on the adoption of said resolution,

And decided in the affirmative.

Whereupon,

On motion of Mr. Bingaman,

It was ordered, that the 1st. blank be filled with the word five, and the 2nd blank with the word three.

Ordered, that the clerk carry said resolution to the Senate, and request their concurrence therein.

And then the House adjourned 'till 2 o'clock, P. M.

2 O'CLOCK, P. M.

The House met pursuant to adjournment.

And on motion of Mr. McDonald, proceeded to the consideration of the Governor's message.

Whereupon,

On motion of Mr. Dunbar,

Resolved, That so much of the Governor's message as relates to the Planter's Bank of the state of Mississippi, be referred to a select committee of five members;

And in pursuance thereto, Messrs. Dunbar, Howard, Bingaman, Vannorman and Bell were appointed.

On motion of Mr. Vannerson,

Resolved, That so much of the Governor's message as relates to the subject of fugitive slaves, be referred to a select committee of three, with leave to report by bill or otherwise.

Whereupon,

Messrs. Vannerson, Harper, and Vick, were appointed.

On motion of Mr. Bingaman,

Resolved, That so much of the Governor's message as relates to the

resolutions from the states of Louisiana, Maine and New Hampshire, with the accompanying documents, in relation thereto, be referred to a select committee of five members, with leave to report by bill or otherwise.

And in pursuance thereto, Messrs. Bingaman, Stockton, Richardson, McRae and Tucker, were appointed.

On motion of Mr. Morrison,

Resolved, That so much of the Governor's message, as relates to education, be referred to a select committee of five members, with leave to report by bill or otherwise.

Whereupon,

Messrs. Morrison, Dixon, Learned, Keegan, and Edwards were appointed.

On motion of Mr. Vannerson,

Resolved, That so much of the Governor's message as relates to the Penitentiary system, be referred to the committee of Ways and Means, with leave to report by bill or otherwise.

On motion of Mr. Tucker,

Resolved, That so much of the Governor's message as relates to the Territory, lately acquired by the general government from the Choctaw tribe of Indians, and those who now have, or may hereafter become residents thereof, be referred to a select committee of nine members, with leave to report by bill or otherwise.

And in pursuance thereto, Messrs. Tucker, Vance, Bell, Beatie, Learned, Edwards, Keegan, Bingaman and Morrison, were appointed.

On motion of Mr. Richardson,

Resolved, That so much of the Governor's message as relates to the seat of government and public lots, be referred to a select committee of three, with leave to report by bill or otherwise.

Whereupon,

Messrs. Richardson, Demoss and Allen, were appointed.

On motion of Mr. Vick,

Resolved, That so much of the Governor's message as relates to internal improvements, be referred to a select committee of three, with leave to report by bill or otherwise.

Whereupon,

Messrs. Vick, Dixon and Powel, were appointed.

On motion of Mr. Tucker,

Resolved, That so much of the Governor's message as relates to the boundary line between this state and the state of Tennessee, be referred to a committee of three members, with leave to report by bill or otherwise.

And in pursuance thereto,

Messrs. Tucker, Boyd, and Martin, were appointed.

Mr. Vannerson moved that the following resolution be adopted:

Resolved, That so much of the Governor's message as relates to the Treasury Department, be referred to the standing committee of accounts.

And the question being taken thereon,

It was decided in the negative.

Mr. Howard gave notice, that he will on to-morrow, ask leave to introduce a bill to be entitled

"An act for taking the census of the state, so that a new apportionment of Senators and Representatives may be made, before the election in November, 1833.

And then the House adjourned.

Thursday, January 10, 1833.

The House met pursuant to adjournment.

Mr. McRae presented the petition of Thomas Rogers, and sundry citizens of Green county, praying the legislature to pass an act refunding to the said Rogers the sum of fifty dollars, the amount paid by him for contempt of Court, at the October term, 1829, of the Circuit Court of said county.

On motion of Mr. McRae,

Ordered, that said petition be referred to the committee on claims.

Mr. Shelby presented the petition of Thomas Ward and others, praying the legislature to pass an act, authorising the said Ward to sell certain real estate, the property of his son, Saunders Ward (a minor).

Which was read.

On motion of Mr. Shelby,

Ordered, that said petition be referred to a select committee of three members;

And in pursuance thereto,

Messrs. Shelby, Ragan, and Bole were appointed.

Mr. Richardson presented the petition of sundry citizens, residents of township No. 1, range 2, west, praying the legislature to pass an act authorizing the trustees to sell or lease the school section of said township.

On motion of Mr. Richardson,

Ordered, that said petition be referred to a select committee of five.

And pursuant thereto,

Messrs. Richardson, Boyd, Dunbar, Shelby and Vannorman, were appointed.

Mr. Demoss presented the petition of Thomas J. Bryan, James Bryan, Sen'r. and James Phillips, praying the passage of an act conveying to them a *bona fide* title to a certain lot or parcel of ground, the property of the state.

On motion of Mr. Demoss,

Ordered, that said petition be referred to a select committee of three members.

Whereupon,

Messrs. Demoss, Morrison, and Howard, were appointed.

Mr. Vannerson, from the select committee, to whom was referred so much of the Governor's message, as relates to fugitive slaves,

Reported, that the committee had, according to order, had the same under consideration, and had instructed him to report a bill to be entitled

An act to amend an act entitled an act to reduce into one, the several acts concerning slaves, free negroes and mulattoes," passed June 18th, 1822.

On motion of Mr. Vannerson,

Ordered, that said report be received.

Whereupon,

Said bill was read the first time.

Mr. Boyd, from the select committee, to whom was referred the petition of John H. Randolph, praying the passage of an act dispensing with the time prescribed by law for his attaining the age of majority,

Reported, that the committee had had the same under consideration, and had instructed him to report a bill to be entitled

An act to dispense with the time prescribed by law for John H. Randolph, of Wilkinson county, obtaining the age of majority.

On motion of Mr. Boyd,

Ordered, that said report be received.

Whereupon,

Said bill was read the first time.

Pursuant to a joint resolution, adopted on yesterday, in relation to the appointment of joint committees of both Houses, to take into consideration the first, third, fourth, fifth and seventh articles of the constitution, with instructions to report such bills thereon, as are necessary to carry into effect such of the provisions of the said articles as it is made the duty of this legislature to regulate by law,

The Speaker announced to the House the following appointments:

Committee on the first article—Messrs. Howard, Barnes, Harper.

Committee on the third article—Messrs. Dixon, Vance, Learned.

Committee on the fourth article—Messrs. Tucker, Boyd, Keegan.

Committee on the fifth article—Messrs. Vannerson, Bell, Morrison.

Committee on the seventh article—Messrs. Bingaman, McRea, Dunbar.

The resolution to sanction and confirm the decree of the Chancery Court of this state, dissolving the bonds of matrimony between R. L. Smith and Mary Smith,

Was read the second time.

On motion of Mr. Bingaman,

Ordered, that said resolution be engrossed and made the order of the day for a third reading on to-morrow.

A message from the Senate, by Mr. Gilbert, their reading clerk.

MR. SPEAKER:

The Senate have concurred in the resolution from the House of Representatives, for the appointment of joint committees, on the several articles

of the Constitution therein enumerated, and have, on their part, appointed
Messrs. Smith, Love—*On the first article.*

Messrs. Guion, Morgan—*On the third article.*

Messrs. Harris, Winston—*On the fourth article.*

Messrs. McLeod, Ford—*On the fifth article.*

Messrs. Prosser, Gordon—*On the seventh article.*

And then he withdrew.

The bill to be entitled

An act to dispense with the time prescribed by law for George W. Nevitt, of Adams county, attaining the age of majority,

Was read the second time.

On motion of Mr. Vannerson,

Ordered, that said bill be engrossed and made the order of the day for a third reading on to-morrow.

Mr. Harper, according to notice given, asked and obtained leave to introduce a bill to be entitled

An act to repeal part of an act, entitled an act to amend an act entitled an act to reduce into one, the several acts concerning slaves, free negroes and mulattoes, passed June 18th, 1822:

Which was read the first time.

Mr. Harper asked and obtained leave to introduce a resolution, to dissolve the bonds of matrimony, heretofore existing, between Franklin Love and Sallena A. Love:

Which was read the first time.

Mr. Powel asked and obtained leave to introduce a resolution to confirm the decree of the Chancery Court for the eastern district, at the August term, 1832, dissolving the bonds of matrimony between Jesse Williamson and Simeon Williamson,

And a resolution to dissolve the bonds of matrimony, heretofore existing between Kincey Layton and Sarah Layton:

Which was read the first time.

Leave being given, Mr. Demoss introduced a bill to be entitled

An act for the relief of Samuel M. Pucket, and John Thompson;

Which was read the first time.

Mr. Demoss moved:

That the rule requiring bills to be read on three several days, be dispensed with, and that said bill be read a second time forthwith:

And the question being taken thereon,

It was decided in the negative.

Mr. Bole gave notice that he will, on to-morrow, ask leave to introduce a bill to be entitled

An act to incorporate Yazoo Academy.

Mr. Dunbar, according to notice given, asked and obtained leave to introduce a bill to be entitled

An act to emancipate and set free two slaves, belonging to the estate of the late David Holmes, deceased, former Governor of this state:

Which was read the first time.

Mr. Harper gave notice, that he will, on Saturday next, ask leave to introduce a bill

To establish and change election precincts in certain counties.

Mr. Demoss gave notice that he will, on to-morrow, ask leave to introduce a bill to be entitled

An act to repeal an act, entitled an act to reduce into one the several acts and parts of acts, concerning high ways, ferries and bridges, passed 16th day of December, 1831;

So far as the same relates to the county of Hinds.

Mr. Dunbar, offered the following resolution:

Resolved, That a committee of _____ members be appointed to inquire whether any, and if any, what alterations or amendments are necessary, in the laws of this state, relating to high-ways, bridges and ferries, with leave to report by bill or otherwise.

On motion of Mr. Tucker,

The blank in said resolution was filled with the word five.

Whereupon,

The question was taken on the adoption of said resolution,

And passed in the affirmative.

On motion of Mr. Vannorman,

The vote taken on said resolution was reconsidered.

And thereupon,

On motion of Mr. Keegan,

It was ordered that the same do lie on the table.

On motion of Mr. Vanderson,

Resolved, That it is expedient to take into consideration, the subject of revising the laws of a general nature now in force in this state;

And that the standing committee on the judiciary, be instructed to report to this House if any, and what measures are necessary to be adopted, for the accomplishment of that object.

Mr. Keegan submitted the following resolution:

Resolved, That with the concurrence of the Senate, four additional members on the part of this House, with such additional members as may be named on the part of the Senate, be added to each joint committee, raised on the several articles of the Constitution.

On motion of Mr. Keegan,

The rule requiring joint resolutions to lie one day on the table, was dispensed with:

And said resolution read a second time forthwith and adopted.

Ordered, that the clerk acquaint the Senate therewith, and desire their concurrence therein.

On motion of Mr. Vick,

It was ordered that Messrs. Shelby and Barnes be added to the select committee, to whom was referred so much of the Governor's message as relates to internal improvement.

And then the House adjourned till 2 o'clock, P. M.

2 O'CLOCK, P. M.

The House met pursuant to adjournment—

When the Speaker announced to the House the appointment of the following additional members to each joint committee, raised on the several articles of the Constitution:

On the joint committee on the first article—Messrs. Allen, Brewer, Beatie, and Vannorman.

On the joint committee on the third article—Messrs. Beasley, Bole, Edwards and Shelby.

On the joint committee on the fourth article—Messrs. Ellis, Howard, Martin and Vick.

On the joint committee on the fifth article—Messrs. McDonald, Richardson, Carter and Shurtleff.

On the joint committee on the seventh article—Messrs. Demoss, Powel, Ragan and Stockton.

Mr. Howard submitted the following resolutions:

1. Resolved, That it is expedient so to amend the charter of the Planter's Bank as to require the directors thereof, to locate a branch of said bank at Manchester, in the county of Yazoo, in this state.

2. Resolved, That it is expedient so to amend the charter of the Planter's Bank, as to require the directors of said bank to locate the mother bank or a branch thereof, at the seat of government, in this state.

3. Resolved, That it is expedient to increase the capital of said bank to the sum of five million of dollars.

Mr. Howard moved, that said resolutions lie on the table:

And the question being taken thereon,

It was decided in the negative.

It was then moved by Mr. Howard, that the farther consideration of said resolutions be postponed until Monday next.

Mr. Keegan moved, that they be indefinitely postponed.

And the question being taken thereon,

It was decided in the affirmative.

YEAS 19—NAYS 12.

The yeas and nays being demanded by Mr. Howard and two other members,

Those who voted in the affirmative are—

Messrs. Barnes, Beasley, Bingham, Dunbar, Dickson, Edwards, Ellis, Harper, Keegan, Martin, McRea, Morrison, Powel, Ragan, Shelby, Shurtleff, Stockton, Vick, Vannerson.—19.

Those who voted in the negative are—

Messrs. Speaker, Beatie, Bell, Bole, Boyd, Brewer, Carter, Demoss, Howard, Learned, Tucker, Vannorman.—12.

Mr. Boyd gave notice that he will, on to-morrow, ask leave to introduce a bill to be entitled

An act to authorize the board of county police, of the several counties in this state, to sell the school lands within the limits of the same, and for other purposes.

Mr. Morrison, from the select committee, to whom was referred the petition of Thomas Griffin, praying that an act may pass, extending to George I. Griffin the age of majority,

Reported, that the committee had had the same under consideration, and had instructed him to report a bill to be entitled

An act to dispense with the time required by law for George I. Griffin, of Hinds county, attaining the age of majority.

On motion of Mr. Morrison,

Ordered, that said report be received.

Whereupon,

Said bill was read the first time.

Mr. Tucker moved that said bill be rejected:

And the question being taken thereon,

It was decided in the negative.

And then the House adjourned.

Friday, January 11, 1833.

The House met pursuant to adjournment.

Mr. McDonald presented the petition of Cloe Flurry, administratrix of the estate of William Flurry, deceased, praying the passage of an act authorizing the said administratrix to remove the property of the said deceased into the state of Alabama.

On motion of Mr. McDonald,

Ordered, that said petition be referred to a select committee of three members,

And in pursuance thereto,

Messrs. McDonald, Ragan and Carter, were appointed.

Mr. Vannerson presented the petition of Samuel Carson, guardian of the heirs of James Carson, deceased, praying the legislature to pass an act authorizing the removal of the property of said heirs, into the state of Kentucky.

On motion of Mr. Vannerson,

Ordered, that said petition be referred to a select committee of three members, with leave to report by bill or otherwise.

Whereupon,

Messrs. Vannerson, Bingaman and Dixon, were appointed.

Mr. Morrison presented the petition of sundry inhabitants of the counties of Warren and Hinds, praying that a public road may be opened

from Port Gibson and the lower counties of the state, leading to Manchester on Yazoo river.

On motion of Mr. Morrison,

Ordered, that said petition be referred to a select committee of three members:

And in pursuance thereto,

Messrs. Morrison, Vick and Vance, were appointed.

Mr. Vick presented the petition of sundry citizens of the town of Vicksburg, praying the passage of an act, granting a charter for a Marine and Fire Insurance office, at the town of Vicksburg.

On motion of Mr. Vick,

Ordered, that said petition be referred to a select committee of three members.

And in pursuance thereto,

Messrs. Vick, Dunbar, and Shelby, were appointed.

Mr. McRae presented the account of Norman McDuffee, late jailor of Green county, for sustenance furnished John Johnson, a prisoner convicted of murder, and boarding a guard for said prisoner.

On motion of Mr. McRae,

Ordered, that said account be referred to the committee on claims.

Mr. Barnes, from the select committee to whom was referred the petition of sundry citizens of Claiborne county, praying the legislature to pass an act authorizing Mary Ann, a free woman of color, and her three children, to remain within the state:

Reported, that the committee had had the same under consideration and had instructed him to report a bill to be entitled

An act for the relief of Mary Ann, a free woman of color.

On motion of Mr. Barnes,

Ordered, that said report be received.

Whereupon,

Said bill was read the first time.

Mr. Barnes, from the select committee to whom was referred the petition of Francis B. Tompkins, praying the passage of an act changing the name of his illegitimate child, Robert Coleman, to Robert Francis Tompkins, and making him his legitimate heir:

Reported, that the committee had had the same under consideration, and had instructed him to report a bill to be entitled

An act to make legitimate, Robert Coleman, and for other purposes.

On motion of Mr. Barnes,

Ordered, that said report be received.

Whereupon,

Said bill was read the first time.

Mr. Vance gave notice, that he will, on to-morrow, ask leave to introduce a bill to be entitled

An act to authorize the building a toll bridge across the Yellow Bush.
The engrossed bill to be entitled

An act to dispense with the time required by law for George W. Newitt, of Adams county, attaining the age of majority:

Was read the third time.

Whereupon,

On motion of Mr. Vannerson,

It was ordered, that said bill lie on the table.

The engrossed resolution to sanction and confirm the decree of the Chancery Court of this State, dissolving the bonds of matrimony between R. L. Smith and Mary Smith,

Was read the third time;

And on motion of Mr. Keegan,

Ordered to lie on the table.

The bill to be entitled

An act to amend an act, entitled an act to reduce into one, the several acts concerning slaves, free negroes, and mulattoes, passed June 18th, 1822:

Was read the second time.

Mr. McDonald moved

That said bill be committed to a committee of the whole House, and made the order of the day for to-morrow,

Mr. Keegan moved,

That the same do lie on the table:

And the question being taken thereon,

It was decided in the negative.

The question was then taken on the motion made by Mr. McDonald, to commit said bill to a committee of the whole House, and made the order of the day for to-morrow:

And decided in the affirmative.

The bill to be entitled

An act to dispense with the time prescribed by law for John H. Randolph, of Wilkinson county obtaining the age of majority,

Was read the second time.

On motion of Mr. Vannerson,

Ordered, that said bill be engrossed, and made the order of the day for a third reading on to-morrow.

A bill to be entitled

An act to repeal part of an act, entitled an act to amend an act entitled an act to reduce into one, the several acts concerning slaves, free negroes, and mulattoes, passed June 18th, 1822, and

A resolution to dissolve the bonds of matrimony, heretofore existing between Franklin Love and Sallena A. Love,

Were read the second time.

On motion of Mr. Harper,

Ordered, that said bill and resolution be engrossed, and made the order of the day for a third reading on to-morrow.

A resolution to confirm the decree of the Chancery Court, for the east-

ern district of the state of Mississippi, made at the August term, 1832, dissolving the bonds of matrimony between Jesse Williamson and Simeon Williamson, and

A resolution to dissolve the bonds of matrimony, heretofore existing between Kensey Layton and Sarah Layton,

Were read the second time.

On motion of Mr. Powel,

Ordered, that said resolutions be engrossed, and made the order of the day for a third reading on to-morrow.

The bill to be entitled

An act for the relief of Samuel M. Puckett and John Thompson,

Was read the second time.

Mr. Tucker moved,

That the House forthwith resolve itself into a committee of the whole on said bill.

Mr. Vannerson moved, that the same do lie on the table;

And the question being taken thereon,

It was decided in the affirmative.

The bill to be entitled

An act to emancipate and set free two slaves belonging to the estate of the late David Holmes, deceased, former Governor of this state,

Was read the second time.

On motion of Mr. Keegan,

Ordered, that said bill be engrossed, and made the order of the day for a third reading on to-morrow.

A message from the Senate, by Mr. Gilbert, their reading clerk..

MR. SPEAKER:

The Senate have passed a bill to be entitled

An act to emancipate a slave, therein named,

And a resolution to dissolve the bonds of matrimony, &c. in which bill and resolution, they desire the concurrence of the House of Representatives.

The Senate have disagreed to the resolution of the House of Representatives, in relation to an increase of the number of members on the several joint committees, appointed on the several articles of the revised constitution.

And then he withdrew.

The bill to be entitled

An act to dispense with the time required by law for George I. Griffin, of Hinds county, attaining the age of majority,

Was read the second time.

On motion of Mr. Morrison,

Ordered, that said bill be engrossed, and made the order of the day for a third reading on to-morrow.

The bill from the Senate, to emancipate a slave therein named,

And the resolution dissolving the bonds of matrimony between Eliza A. Moore and William Moore,
Were read the first time.

Mr. Howard submitted the following resolution:

Resolved, That with the concurrence of the Senate, three members of this House be added to the select committee on the fourth article of the constitution,

And that three members be also added to the select committee on the seventh article of the constitution.

On motion of Mr. Stockton,

The rule requiring joint resolutions to lie one day on the table, was dispensed with, and said resolution read a second time forthwith, and adopted.

And in pursuance thereto,

Messrs. Howard, Ragan and Stockton, were appointed the committee on the fourth article of the Constitution,

And Messrs. Richardson, Shelby and Vick, the committee on the seventh article of the Constitution.

Mr. Stockton submitted the following resolution:

Resolved, with the concurrence of the Senate, that the Auditor of Public Accounts, and Treasurer of this State, be required to make their annual reports to the Legislature on Tuesday next, and that the Clerk inform said officers thereof.

On motion of Mr. Stockton,

The rule requiring joint resolutions to lie one day on the table, was dispensed with,

And said resolution was read a second time forthwith, and adopted.

Ordered, that the clerk carry said resolutions to the Senate, and desire their concurrence therein.

Mr. Bingaman submitted the following resolution:

Which, according to the rules of the House, lies one day on the table.

Resolved, with the concurrence of the Senate, that the two Houses meet in the Representative Chamber, at ten o'clock, A. M. on Wednesday next,

For the purpose of going into the election of a State Treasurer, and Auditor of Public Accounts.

On motion of Mr. Bingaman,

The House proceeded to the consideration of the resolution, to sanction and confirm the decree of the Chancery Court of this State, dissolving the bonds of matrimony between R. L. Smith and Mary Smith.

Whereupon,

On motion of Mr. Bingaman,

It was ordered that said bill lie on the table.

Mr. Boyd submitted the following resolution:

Resolved, that with the concurrence of the Senate, the two Houses do

on to-morrow, at ten o'clock, A. M. proceed to the election by ballot of a Public Printer.

On motion of Mr. Boyd,

The rule requiring joint resolutions to lie one day on the table was dispensed with,

And said resolution read a second time forthwith.

It was then moved by Mr. Stockton, that the same be amended as follows:

Strike out the word "to-morrow" and insert the word "Wednesday."

Mr. Dixon moved that said resolution lie on the table.

And the question being taken thereon,

It was decided in the affirmative.

On motion of Mr. Barnes,

Resolved, that the door-keeper of this House be required to furnish the Representative Hall with twenty-five additional copies of the revised Constitution of this State, and that the Secretary of State be required to deliver the same to the door-keeper.

Mr. Howard submitted the following resolution:

Resolved, that the Public Printer be required to print numbers of the Journal of this House, and that the printed sheets of one of said Journals be furnished to each of the members of this House during its session.

Mr. Morrison proposed to fill said blank with thirty-six:

Mr. Bingaman with three hundred and fifty, and Mr. Vannorman with five hundred; on which last proposed number,

The question was taken,

And decided in the affirmative.

Mr. Stockton moved to amend said resolution as follows; which was acceded to by Mr. Howard:

Strike out after the word "Resolved" and insert "that the Clerk of this House be required to furnish the Public Printer with a copy of the Journals of each day, so soon as he can with convenience, and that the Public Printer furnish each member of this House, one copy of the number required to be printed by law.

The question was then taken on the adoption of said resolution as amended,

And decided in the affirmative.

Mr. Bingaman submitted the following resolution:

Resolved, that a committee of members be appointed to ascertain and report to this House, whether the terms for which the Auditor of Public Accounts, the State Treasurer and Secretary of State were elected, have, or either of them, expired: and if they have not, at what time they will severally expire.

On motion of Mr. Carter,

The blank in said resolution was filled with the word five.

Whereupon,

The question was taken on the adoption of said resolution,
And decided in the affirmative.

The committee appointed were Messrs. Bingaman, Keegan, Boyd, Howard and Dixon.

On motion of Mr. Demoss,

Resolved, that Thomas H. Hopkins, Esq. be permitted to occupy a seat within the bar of this House, for the purpose of taking notes and abstracts of its proceedings for publication in the Mississippi Patriot, a newspaper published at Raymond, in this State.

And then the House adjourned, till two o'clock, P. M.

2 O'CLOCK, P. M.

The House met pursuant to adjournment—

When Mr. Demoss according to notice given, asked and obtained leave to introduce a bill, to be entitled “an act, to repeal an act entitled an act, to reduce into one the several acts, and parts of acts concerning highways, ferries and bridges, passed the 16th day of December, 1831, so far as the same relates to the county of Hinds, and for other purposes.”

Which was read the first time.

On motion of Mr. Tucker,

Ordered, that said bill lie on the table.

On motion of Mr. Barnes,

Resolved, that the judiciary committee be instructed to inquire and report to this House, what amendments, if any, are necessary to the laws now in force, regulating the appointment of Assessors and Tax Collectors.

A message from the Senate by Mr. Gilbert, their reading Clerk.

MR. SPEAKER:

The Senate have concurred in the resolution from the House of Representatives, requiring the reports of the Auditor and Treasurer, and a resolution in relation to the increase of members on the 4th and 7th articles of the Revised Constitution.

And then he withdrew.

Mr. McRae submitted the following resolution:

Resolved, that the following be one of the standing rules of this House during the present session, until otherwise ordered; that the previous question be allowed in committee of the whole.

Mr. Keegan moved that the rule requiring one day's notice to be given on a motion to rescind or change a standing rule, or order of the House be dispensed with,

And that said resolution be read, and proposed for adoption—

And the question being taken thereon,

It was decided in the affirmative.

The said resolution was then read,

And on motion of Mr. Dunbar,

Ordered to lie on the table.

On motion of Mr. McRae,
 The vote taken on the resolutions, submitted by Mr. Howard,
 And indefinitely postponed, in relation to the Planters Bank of the
 State of Mississippi was reconsidered.

Whereupon,
 Mr. Howard asked and obtained leave to withdraw the same.
 And then the House adjourned.

Saturday, January 12, 1833.

The House met pursuant to adjournment.

Mr. Allen presented the petition of sundry citizens of Copiah county,
 praying the legislature to pass an act, granting to John Pierce, Sen'r. the
 privilege of retailing spiritous liquors without license.

On motion of Mr. Allen,

Ordered, that said petition be referred to a select committee of three
 members, with leave to report by bill or otherwise:

And in pursuance thereto,

Messrs. Allen, Beasley and Martin, were appointed.

The engrossed bill to be entitled

An act to dispense with the time prescribed by law for John H. Ran-
 dolph, of Wilkinson county attaining the age of majority, was in order
 for a third reading.

On motion of Mr. Keegan,

Ordered, that the order on said bill be postponed until Monday next.

The engrossed bill to be entitled

An act to repeal part of an act, entitled "an act to amend an act
 entitled an act to reduce into one the several acts concerning slaves, free
 negroes and mulattoes, passed June 18th, 1822."

Was read the third time.

Whereupon,

On motion of Mr. Vannerson,

The House forthwith resolved itself into a committee of the whole on
 said bill, Mr. Keegan in the chair,

And after some time spent therein,

The Speaker resumed the chair, when

Mr. Keegan reported that the committee of the whole had, according to
 order, had said bill under consideration, had made an amendment thereto,
 and had instructed him to report the same as amended.

On motion of Mr. Keegan,

Ordered, that said report be received and agreed to.

On motion of Mr. Vannerson,

Ordered that said bill be re-engrossed, and made the order of the day
 for Monday next.

A message from the Senate, by Mr. Gilbert, their reading clerk.

MR. SPEAKER:

The Senate have passed a bill to be entitled an act to take the census of the state of Mississippi, for the year 1833.

In which bill they desire the concurrence of this House.

And then he withdrew.

The engrossed resolution to dissolve the bonds of matrimony heretofore existing between Franklin Love and Salena A. Love, was in order for a third reading.

On motion of Mr. Keegan,

Ordered, that said resolution lie on the table.

The engrossed resolution to confirm the decree of the Chancery Court, for the eastern district of the state of Mississippi, made at the August term, 1832, dissolving the bonds of matrimony between Jesse Williamson and Simeon Williamson,

Was in order for a third reading.

Whereupon,

It was moved by Mr. Keegan, that said resolution lie on the table,

And the question being taken thereon,

It was decided in the negative.

The said resolution was then read a third time and passed by a constitutional majority, two thirds of the members concurring therein.

The engrossed resolution to dissolve the bonds of matrimony, heretofore existing between Kensey Layton and Sarah Layton,

Was read the third time and passed by a constitutional majority, two thirds of the members concurring therein.

On motion of Mr. Keegan,

The House proceeded to consider the engrossed resolution to dissolve the bonds of matrimony, heretofore existing between Franklin Love and Salena A. Love:

And thereupon,

Said resolution was read the third time.

Mr. Harper moved that the reading of the documentary evidence accompanying said resolution, be dispensed with:

And the question being taken thereon,

It was decided in the affirmative.

Whereupon,

On motion of Mr. Keegan,

Said vote was re-considered, and said documentary evidence read.

The question was then taken on the passage of said resolution,

And decided in the affirmative, by a constitutional majority, two thirds of the members concurring therein.

On motion of Mr. Bingaman,

The House proceeded to consider the engrossed resolution to sanction and confirm the decree of the Chancery Court of this state, dissolving the bonds of matrimony between R. L. Smith and Mary Smith.

Whereupon,

Said resolution was put upon its passage and passed by a constitutional majority, two thirds of the members concurring therein.

Ordered, that the clerk carry said resolution to the Senate and request their concurrence therein.

The bill from the Senate to be entitled

An act to take the census of the state of Mississippi, for the year 1833,
Was read the first time.

Mr. Bingaman made the following report:

MR. SPEAKER:

The committee, who were appointed under a resolution of this House, to ascertain and report to this House whether the terms for which the Auditor of public accounts, the State Treasurer and Secretary of State, were elected, have, all or either of them expired, and if they have not, at what times they will severally expire:

Beg leave to report—

That the Secretary of State, having been elected at the last session of the general assembly, for a term of two years, no provision in regard to that office is at present necessary.

The commission of the Auditor expired in the 5th instant, and that of the Treasurer will expire on this day.

Your committee beg leave further to report: That they deemed it their duty, in conformity with the spirit and intent of the resolution above recited, to inquire into the situation in which the two offices last named (the commission of the one having already expired, and that of the other being about to expire) are placed, by the constitution.

They have found but two sections of that instrument which will apply to this point.

By the 3rd section of the schedule, it is provided that "the Governor and all officers, civil and military, now holding commissions under the authority of this state, shall continue to hold and exercise their respective offices, until they shall be superseded, pursuant to the provisions of this constitution; and until their successors shall be duly qualified."

By the 13th section, article 5th, it is provided, that "all vacancies, not provided for in this constitution, shall be filled in such manner as the legislature may prescribe."

Your committee are of opinion that the first recited section was intended, in the first place, to apply to officers, whose terms of service ran beyond the period at which they will be superseded by their qualified successors, under the election in May next; and secondly, to apply to all other officers, whose limited terms would expire previously to that period, until they shall be filled in such manner as the legislature may prescribe. The officers under consideration, belonging to the latter class, and impressed with the importance of making immediate provision in relation to them,

Your committee would respectfully suggest the propriety of passing, as speedily as possible, the following resolution, to wit:

A resolution to provide for the appointment of certain officers therein named.

On motion of Mr. Bingaman,
Ordered, that said report be received.

Whereupon,

Said resolution was read the first time.

On motion of Mr. Bingaman,

The rule was dispensed with, and said resolution read a second time forthwith.

On motion of Mr. Bingaman,

The rule was further dispensed with, said resolution considered as engrossed, read a third time forthwith and put upon its passage.

And the question being put, shall the resolution pass?

It was decided in the affirmative.

Ordered, that the clerk acquaint the Senate therewith, and desire their concurrence therein.

Mr. Brewer gave notice that he will, on Monday next, ask leave to introduce a bill to be entitled

An act to establish a permanent seat of justice in the county of Hancock.

Mr. Morrison, from the select committee, to whom was referred the petition of sundry citizens of the counties of Hinds and Warren, praying that a law may be passed, authorizing the opening a road leading from Port Gibson and the lower part of the state, to Manchester, on the Yazoo river,

Reported, that the committee had, according to order, had the same under consideration, and had instructed him to report a bill to be entitled

An act to designate a public road in the counties therein named.

On motion of Mr. Morrison,

Ordered, that said report be received.

Whereupon,

Said bill was read the first time.

The engrossed bill to be entitled

An act to emancipate and set free two slaves, belonging to the estate of the late David Holmes, deceased, former Governor of this state,

Was read the third time.

Whereupon,

On motion of Mr. Boyd,

The House forthwith resolved itself into a committee of the whole on said bill, Mr. Dixon in the chair;

And after some time spent therein, the speaker resumed the chair, and Mr. Dixon reported, that the committee of the whole had, according to order, had said bill under consideration, had made sundry amendments thereto, and had instructed him to report the same as amended.

On motion of Mr. Dixon, said report was received.

And thereupon,

The first of said amendments was read and concurred in by the House;

The second amendment being then read, it was moved by Mr. Dunbar that the same be amended as follows:

Insert after the words "this state," the words to wit: "in which they may reside."

And the question being taken thereon,
It was decided in the affirmative.

The question was then taken on the said second amendment as amended;

And passed in the affirmative.

On motion of Mr. Dunbar,

Ordered, that said bill, together with the said amendments, be engrossed, and made the order of the day for Monday next.

A message from the Senate, by Mr. Gilbert their reading clerk:

MR. SPEAKER:

The Senate have given leave for bills to be introduced with the following titles, to wit:

A bill to be entitled

An act to divide the county of Yazoo.

A bill to be entitled

An act to organize and establish Circuit Courts, and to define their powers and jurisdiction in law and equity, and

A bill to abolish the third Chancery District of this State.

The Senate have passed the resolution from this House in relation to the appointment of certain officers therein named.

And then he withdrew.

Mr. Howard submitted the following resolution, which, according to the rules of the House, lies one day on the table:

Resolved, with the concurrence of the Senate, that it is expedient to memorialize the Congress of the United States to grant to the State of Mississippi the lands belonging to the United States, below the Choctaw line, on each side of Pearl river, and lying within seven miles thereof, in this State, for the purpose of improving the navigation of said river.

And then the House adjourned till two o'clock, P. M.

2 O'CLOCK, P. M.

The House met pursuant to adjournment—

When Mr. Richardson, from the select committee to whom was referred so much of the Governor's message, as relates to the seat of government, and public lots, in the town of Jackson,

Reported, that the committee had had the same under consideration and instructed him to report a bill to be entitled

An act to provide for the erection of public buildings and selling a portion of the public lots, in the town of Jackson.

On motion of Mr. Richardson,

Ordered, that said report be received.

Whereupon,

Said bill was read the first time.

On motion of Mr. Keegan,

Ordered, that said bill lie on the table, and that one hundred copies thereof be printed for the use of this House.

Mr. Demoss, from the select committee, to whom was referred the petition of Thos. J. Bryant, Jas. Bryant, Sen'r. and Jas. Phillips, praying the passage of an act, conveying to them a *bona fide* title to a certain lot or parcel of land, the property of the state, to erect thereon a steam saw mill,

Reported, that the committee had, according to order, had the said petition under consideration, and had instructed him to report a bill to be entitled

An act to grant a site for a steam saw mill to Thomas J. Bryant and others.

On motion of Mr. Demoss,

Ordered, that said report be received.

Whereupon,

Said bill was read the first time.

Mr. Vannerson made the following report:

MR. SPEAKER:

The select committee, to whom was referred the petition of Samuel Carson, praying that a law may pass authorising him to remove the property of his ward out of this state, beg leave to report:

That they have had the same under consideration, and have directed me to report a bill to be entitled

An act to authorise Samuel Carson, guardian, to remove the estate of his ward to the state of Kentucky, and for other purposes.

Your committee take this occasion to say, that they have carefully examined the provisions of an act, approved on the 16th day of December, 1830, entitled

"An act, to authorise executors, administrators and guardians, to purchase real estate and for other purposes," and are of opinion that the provisions contained in the 3rd section of the above recited act, are not so ample and general as to embrace cases like the present; but is only intended to apply, and can only apply to cases where guardians who reside in this state, and who have already had accounts with the Probate Court, and are desirous to remove themselves without the jurisdiction of the state, giving them lawful right to so remove with the persons and estates of their wards, after making a final settlement of their accounts with the Probate Court.

Your committee having the matter under their consideration, have thought it advisable to recommend a general provision, with the view of putting an end to future legislation on the subject: and for that purpose have in the second section of the bill they now report, so provided.

They beg leave to be discharged.

WM. VANNERSON, Chairman.

On motion of Mr. Vannerson,
Ordered that said report be received.

Whereupon,

Said bill was read the first time.

On motion of Mr. Vannorman,

Resolved, That the public printer be instructed to print the yeas and nays on the journal of this House in line, in lieu of column.

Mr. Vance, according to notice given, asked and obtained leave to introduce a bill, authorizing the building a toll bridge across the Yellow Busha,

Which was read the first time.

Mr. Morrison gave notice that he will, on Monday next, ask leave to introduce a bill to amend the several laws relative to strays.

Mr. Harper, according to notice given, asked and obtained leave to introduce a bill, to be entitled

An act to establish and change election precincts, in certain counties,

Which was read the first time.

Mr. Boyd, according to notice given, asked and obtained leave to introduce a bill to be entitled

An act to authorize the board of county police, of the several counties in this state to sell the school lands within the limits of the same, and for other purposes.

Which was read the first time.

On motion of Mr. Tucker,

Ordered, that said bill lie on the table.

On motion of Mr. Demoss,

Ordered, that thirty-six copies of said bill be printed for the use of this House.

The engrossed bill to be entitled

An act to dispense with the time required by law for George I. Griffin, of Hinds county, attaining the age of majority, was read the third time and put upon its passage.

Mr. Keegan moved, that there be a call of the House,

And the question thereon being taken,

It was decided in the affirmative.

The clerk then called the roll of the members, when it was found that the following named members answered to their names, to wit:

Messrs. Barnes, Beasley, Beatie, Bingaman, Bole, Boyd, Brewer, Carter, Demoss, Dunbar, Dixon, Ellis, Harper, Howard, Keegan, Learned, Martin, McDonald, Morrison, Ragan, Richardson, Shelby, Stockton, Shurtleff, Tucker, Vance, Vick, Vannerson, Vannorman—29.

It was then moved by Mr. Keegan, that the absent members be sent for,

And the question being taken thereon,

It was decided in the negative.

The question was then taken on the passage of said bill,

And determined in the negative.

YEAS—15. NAYS—15.

The yeas and nays being demanded by Mr. Keegan and two other members present—

Those who voted in the affirmative are—

Messrs. Speaker, Bingham, Bole, Boyd, Carter, Demoss, Dixon, Howard, Martin, McDonald, Morrison, Richardson, Shelby, Shurtleff, Vannerson—15.

Those who voted in the negative are—

Messrs. Barnes, Beasley, Beatie, Brewer, Dunbar, Ellis, Harper, Keegan, Learned, Ragan, Stockton, Tucker, Vance, Vick, Vannorman—15.

Mr. Vannerson gave notice that he will on Monday next ask leave to introduce a bill to be entitled

An act to establish the age of majority and to change the common law rule on that subject.

It was then moved, by Mr. Demoss, that the House adjourn;

And the question being taken thereon,

It was decided in the negative.

The bill to be entitled

An act to amend an act entitled “an act to reduce into one the several acts concerning slaves, free negroes and mulattoes, passed June 18th, 1822,”

Was in order for a committee of the whole.

On motion of Mr. Tucker,

Ordered, that said bill lie on the table.

The bill from the Senate, to emancipate a slave therein named, and

The resolution dissolving the bonds of matrimony between Eliza A. Moore and William Moore,

Were read the first time.

The bill to be entitled

An act for the relief of Mary Ann, a free woman of color,

Was read the second time.

Mr. Barnes moved that said bill be engrossed, and made the order of the day for a third reading on Monday next.

Mr. Dixon moved, that the same be committed to a committee of the whole House, and made the order of the day for Monday next,

And the question being taken thereon,

It was decided in the affirmative.

The bill to be entitled

An act to make legitimate Robert Coleman, and for other purposes,

Was read the second time.

On motion of Mr. Keegan,

Ordered, that said bill be committed to a committee of the whole House, and made the order of the day for Monday next.

The resolution in relation to a State Treasurer and Auditor of public accounts, was next in order.

Whereupon,

On motion of Mr. Tucker,
 Ordered, that said resolution be indefinitely postponed.
 And then the House adjourned.

Monday, January 14, 1833.

The House met pursuant to adjournment.

Mr. Bole presented the petition of John Carraway, praying the Legislature to pass an act, authorizing him to retain possession of the west half of the sixteenth section, in Township 12, range two west, of the unexpired term of a lease made to him by the Trustees of said sixteenth section.

On motion of Mr. Bole,

Ordered, that said petition be referred to a select committee of three members, with leave to report by bill or otherwise;

And in pursuance thereto, Messrs. Bole, Vance and Boyd were appointed.

Mr. Demoss presented the petition of sundry citizens of Hinds county, praying the Legislature to pass an act, granting a charter to Joel E. Carstarphen, to build a bridge over Big Black river.

On motion of Mr. Demoss,

Ordered, that said petition be referred to a select committee of three members, with leave to report by bill or otherwise.

And in pursuance thereto, Messrs. Demoss, Morrison and Vick were appointed.

Mr. Bell presented the petition of sundry citizens of Monroe county, praying the Legislature to pass an act, authorizing the county Court of said county, to place a certain idiot negro girl by the name of Mary Ann on the poor list of said county; and to allow John Thompson of said county reasonable compensation for the time he has taken care of said girl.

On motion of Mr. Bell,

Ordered, that said petition be referred to a select committee of three members,

Whereupon,

Messrs. Bell, Tucker and Boyd were appointed.

Mr. Ragan presented the petition of Jacob Duckworth, praying the Legislature to pass an act, remunerating him for expenses incurred in apprehending and prosecuting a certain negro slave, named Henry.

On motion of Mr. Ragan,

Ordered, that said petition be referred to the committee on claims.

The engrossed bill to be entitled an act to emancipate, and set free

two slaves belonging to the estate of the late David Holmes, deceased, former Governor of this State, being in order—

It was ordered, on motion of Mr. Keegan, that the same do lie on the table.

The engrossed bill to be entitled an act, to repeal part of an act entitled "an act to amend an act entitled an act to reduce into one the several acts concerning slaves, free negroes and mulattoes, passed June 18th, 1822," was next in order.

Mr. Carter moved that the same be amended by way of rider, as follows:

Amend by adding an additional section to said bill.

SECT. *And be it further enacted,* That the county of Perry be, and the same is hereby exempted from the operation of this act. Said rider being read the first time, it was moved by Mr. Bingaman that the same be rejected.

And the question being taken thereon,

It was decided in the affirmative.—Yeas 30—Nays 1.

The yeas and nays being called for by three of the members present.

Those who voted in the affirmative are

Messrs. Speaker, Allen, Barnes, Beasley, Beatie, Bell, Bingaman, Bole, Boyd, Brewer, Demoss, Ellis, Harper, Howard, Keegan, Learned, Martin, McDonald, Morrison, Powel, Ragan, Richardson, Shelby, Shurtleff, Stockton, Tucker, Vance, Vick, Vannerson, Vannorman, 30.

In the negative, Mr. Carter, 1.

The question was then taken on the passage of said bill,

And decided in the affirmative.

Ordered, that the title of said bill be as stated.

Ordered, that the clerk carry said bill to the Senate, and request their concurrence therein.

The engrossed resolution from the Senate, dissolving the bonds of matrimony heretofore existing between Eliza A. Moore and William Moore, was read the third time and passed by a constitutional majority, (two thirds of the members concurring therein.)

Ordered, that the clerk acquaint the Senate therewith:

The engrossed bill to be entitled an act to dispense with the time prescribed by law for John H. Randolph, of Wilkinson county, attaining the age of majority,

Was read the third time, and passed with its title as stated.—Yeas 16—Nays 14.

The yeas and nays being demanded by three of the members present.

Those who voted in the affirmative are,

Messrs. Speaker, Bingaman, Bole, Boyd, Carter, Demoss, Howard, Martin, McDonald, Morrison, Powel, Richardson, Shelby, Shurtleff, Vick, Vannerson, 16.

Those who voted in the negative are,

Messrs. Allen, Barnes, Beasley, Beatie, Bell, Brewer, Ellis, Harper, Keegan, Learned, Ragan, Tucker, Vance, Vannorman, 14.

Ordered, that the clerk carry said bill to the Senate, and request their concurrence therein.

The House according to the order of the day, resolved itself into a committee of the whole, on the bill from the Senate, to emancipate a slave therein named. (Mr. Howard in the chair,) and after some time spent therein, the speaker resumed the chair,

And Mr. Howard reported that the committee of the whole had had said bill under consideration, and had instructed him to report the same without amendment.

On motion of Mr. Howard,

Ordered, that said report be received and agreed to.

On motion of Mr. Keegan,

Ordered, that said bill be made the order of the day for a third reading on to-morrow.

Mr. Stockton from the joint committee on enrolled bills, made the following report.

MR. SPEAKER:

The joint committee on enrolled bills, have this day examined a resolution to provide for the appointment of certain officers therein named, and have found the same correctly enrolled.

Whereupon,

The speaker signed the same:

Ordered, that the clerk carry said resolution to the Senate for the signature of the President thereof.

The House according to the order of the day, resolved itself into a committee of the whole, on the bill to be entitled an act, for the relief of Mary Ann, a free woman of colour, (Mr. Tucker in the chair,) and after some time spent therein, the speaker resumed the chair;

And Mr. Tucker reported that the committee of the whole had had the same under consideration, and had instructed him to report the same without amendment.

On motion of Mr. Tucker,

Ordered, that said report be received and agreed to.

On motion of Mr. Barnes,

Ordered, that said bill be engrossed, and made the order of the day for a third reading on to-morrow.

The House according to the order of the day, resolved itself into a committee of the whole, on the bill to be entitled "an act to make legitimate Robert Coleman, and for other purposes; Mr. Stockton in the chair.

And after some time spent therein, the speaker resumed the chair, and, Mr. Stockton reported, that the committee of the whole had according to order, had said bill under consideration, had made an amendment, and had instructed him to report the same as amended.

On motion of Mr. Stockton,

Ordered, that said report be received and agreed to.

On motion of Mr. Barnes;

Ordered, that said bill be engrossed, and made the order of the day for a third reading on to-morrow.

The bill from the Senate, to be entitled an act, to take the census of the State of Mississippi, for the year 1833, was read the second time.

Mr. Bingaman moved that said bill be referred to the joint committee raised on the third article of the constitution:

And the question being taken thereon,

It was determined in the negative.

Whereupon,

On motion of Mr. Howard;

Ordered, that said bill be committed to a committee of the whole House, and made the order of the day for Wednesday next.

The bill to be entitled an act, to grant a site for a steam saw mill to Thomas I. Bryant and others, was read the second time.

Whereupon,

On motion of Mr. Morrison,

The House forthwith resolved itself into a committee of the whole on said bill.

Mr. Vannerson in the chair, and after some time spent therein, the speaker resumed the chair,

And Mr. Vannerson reported that the committee of the whole had had said bill under consideration, had made sundry amendments thereto, and had instructed him to report the same as amended.

On motion of Mr. Vannerson,

Ordered, that said report be received and agreed to.

On motion of Mr. Howard,

Ordered that said bill be engrossed, and made the order of the day for a third reading on to-morrow.

A message from the Senate by Mr. Gilbert, their reading Clerk.

MR. SPEAKER:

The President of the Senate did this day sign the resolution which originated in the House of Representatives, "to provide for the appointment of certain officers therein named."

And then he withdrew.

The bill to be entitled an act to authorize Samuel Carson, guardian, to remove the estate of his wards to the State of Kentucky, and for other purposes—

Was read the second time.

On motion of Mr. Keegan,

Ordered, that said bill be committed to a committee of the whole House, and made the order of the day for to-morrow.

And then the House adjourned till two o'clock, P. M.

2 O'CLOCK, P. M.

The House met pursuant to adjournment.

The bill to be entitled an act to designate a public road in the counties therein named—

Was read the second time.

On motion of Mr. Morrison,

Ordered, that said bill be committed to a committee of the whole House, and made the order of the day for to-morrow.

The bill to be entitled an act to authorize the building a toll bridge across the Yellow Busha—

Was read the second time.

On motion of Mr. Vance,

Ordered, that said bill be committed to a committee of the whole House, and made the order of the day for to-morrow.

On motion of Mr. Dunbar,

The House proceeded to the consideration of the bill, to be entitled an act, to emancipate and set free two slaves, belonging to the estate of the late David Holmes, deceased, former Governor of this State,

And thereupon,

The question was taken on the passage of said bill,

And decided in the affirmative.

Ordered, that the title of said bill be as stated.

Ordered, that the clerk carry said bill to the Senate, and request their concurrence therein.

The bill to be entitled an act, to establish and change election precincts in certain counties—

Was read the second time.

On motion of Mr. Harper,

Ordered, that said bill lie on the table.

The resolution relative to a memorial to the Congress of the United States, for a grant of land was next in order;

And on motion of Mr. Howard,

Ordered to lie on the table.

On motion of Mr. Demoss,

The House proceeded to the consideration of the bill, to be entitled an act to repeal an act entitled "an act to reduce into one the several acts and parts of acts concerning highways, ferries and bridges, passed the 16th day of December, 1831," so far as the same relates to the county of Hinds, and for other purposes.

Was read the second time.

On motion of Mr. Demoss,

Ordered, that said bill be committed to the committee of the whole House, and made the order of the day for to-morrow.

Mr. Carter asked and obtained leave to introduce a resolution to dissolve the bonds of matrimony heretofore existing between John Blakeley and Nancy Blakeley,

Which was read the first time.

Mr. Brewer agreeably to notice given, asked and obtained leave to in-

introduce a bill to be entitled an act to establish a permanent seat of justice in the county of Hancock;

Which was read the first time.

On motion of Mr. Vick,

The vote taken on the bill to be entitled an act to dispense with the time required by law for George I. Griffin of Hinds county, attaining the age of majority, was reconsidered.

Whereupon,

The question was again taken on the passage of said bill,

And decided in the affirmative—Yeas 17—Nays 15.

The yeas and nays being called for by three of the members present,

Those who voted in the affirmative are—

Messrs. Speaker, Bingaman, Bole, Boyd, Carter, Demoss, Dixon, Howard, Martin, McDonald, Morrison, Powel, Richardson, Shelby, Shurtleff, Vick, Vannerson, 17.

Those who voted in the negative are—

Messrs. Allen, Barnes, Beasley, Bell, Brewer, Dunbar, Ellis, Harper, Keegan, Learned, Ragan, Stockton, Tucker, Vance, Vannorman, 15.

Ordered, that the title of said bill be as stated.

On motion of Mr. Vannerson,

The House proceeded to the consideration of the bill to be entitled an act to dispense with the time required by law for George W. Nevitt, of Adams county, attaining the age of majority.

Whereupon,

Said bill was put upon its passage, and passed—Yeas 18—Nays 15.

The yeas and nays being demanded by three of the members present,

Those who voted in the affirmative are—

Messrs. Speaker, Beatie, Bingaman, Bole, Boyd, Carter, Demoss, Dixon, Howard, Martin, McDonald, Morrison, Powel, Richardson, Shelby, Shurtleff, Vick, Vannerson, 18.

Those who voted in the negative are—

Messrs. Allen, Barnes, Beasley, Bell, Brewer, Dunbar, Ellis, Harper, Keegan, Learned, Ragan, Stockton, Tucker, Vance, Vannorman,—15.

Ordered, that the title of said bill be as stated.

Ordered, that the clerk carry the said bills to the Senate, and request their concurrence therein.

A message from the Governor by Mr. A. Albert Allen, his private Secretary.

MR. SPEAKER:

I am directed by His Excellency the Governor, to inform this House that he did on this day approve and sign a resolution, to provide for the appointment of certain officers therein named; which originated in this House.

Mr. Morrison submitted the following resolution:

Resolved, that a select committee of five members be appointed to enquire into the expediency of submitting that clause of the Constitution,

prohibiting the introduction of slaves into this State; and that they have leave to report by bill if any, the proposed amendment to be submitted to the people.

On motion of Mr. Howard,

Ordered, that said resolution lie on the table.

The House then, on motion, adjourned.

Tuesday, January 15, 1833.

The House met pursuant to adjournment—

When on motion of Mr. Keegan, it was ordered that the several motions for an adjournment of the House, immediately preceding its last adjournment, be stricken from the Journal.

Mr. Morrison presented the petition of sundry citizens of Hinds county, praying that an act may be passed, receiving and amending the act, passed at the last session of the Legislature, authorizing a lottery to raise a fund for the purpose of removing the obstructions to the navigation of Big Black River.

On motion of Mr. Morrison,

Ordered, that said petition be referred to a select committee of three members; and pursuant thereto, Messrs. Morrison, Beatie and Vick were appointed.

The bill from the Senate to emancipate a slave therein named,

Was read the third time and passed.—Yeas 22—Nays 11.

The yeas and nays being demanded by three of the members present,

Those who voted in the affirmative are—

Messrs. Allen, Barnes, Beasley, Beatie, Bell, Bingham, Boyd, Demoss, Dunbar, Dixon, Ellis, Keegan, Martin, McRae, McDonald, Morrison, Ragan, Richardson, Shelby, Stockton, Vick, Vannerson—22.

Those who voted in the negative are—

Messrs. Speaker, Bole, Brewer, Carter, Harper, Learned, Powel, Shurtleff, Tucker, Vance, Vannerson—11.

Ordered, that the title of said bill be as stated.

Ordered, that the clerk carry said bill to the Senate, and notify them that the same has passed this House.

The engrossed bills entitled, to wit:

A bill to be entitled

An act for the relief of Mary Ann, a free woman of color, and

A bill to be entitled

An act to make legitimate Robert Coleman, and for other purposes,

Were read the third time and passed, with the titles as stated.

Ordered, that the clerk carry said bills to the Senate, and request their concurrence therein.

The engrossed bill to be entitled

An act to grant a site for a steam saw mill to Thomas J. Bryant and others,

Was read the third time.

Whereupon,

On motion of Mr. Bingaman,

It was ordered that said bill be recommitted to a select committee of three members:

And in pursuance thereto,

Messrs. Bingaman, Demoss and Morrison, were appointed.

The House, according to the order of the day, resolved itself into a committee of the whole, on the bill to be entitled

An act to authorize Samuel Carson, guardian, to remove the estate of his wards to the state of Kentucky, and for other purposes, Mr. Harper in the chair:

And after some time spent therein, the Speaker resumed the chair,

When Mr. Harper reported, that the committee of the whole had, according to order, had said bill under consideration, and had instructed him to report the same without amendment.

On motion of Mr. Harper,

Ordered, that said report be received.

Mr. Vannerson moved that said bill be recommitted to the select committee who reported the same.

Mr. Tucker moved that said bill be indefinitely postponed.

And the question being taken thereon,

It was decided in the negative.

The question was then taken on Mr. Vannerson's motion to recommit said bill,

And decided in the affirmative.

On motion of Mr. Vannerson,

Ordered, that Mr. McDonald be added to the select committee to whom said bill was recommitted.

A message from the Senate, by Mr. Gilbert, their reading clerk:

MR. SPEAKER:

The Senate have passed a resolution from the House of Representatives to dissolve the bonds of matrimony between Franklin Love and Salena A. Love.

They have also given leave to introduce a bill to incorporate the Gallatin Female Academy.

And then he withdrew.

The House, according to the order of the day, resolved itself into a committee of the whole, on the bill to be entitled

An act to designate a public road in the counties therein named; Mr. Vick in the chair;

And after some time spent therein, the speaker resumed the chair,

When Mr. Vick reported, that the committee of the whole had, accord-

ing to order, had said bill under consideration, and had instructed him to report the same without amendment.

On motion of Mr. Vick,

Ordered, that said report be received and agreed to.

On motion of Mr. Morrison,

Ordered, that said bill be engrossed and made the order of the day for a third reading on to-morrow.

Mr. Stockton, from the committee on enrolled bills, made the following report:

MR. SPEAKER:

The committee on enrolled bills have this day examined a resolution to dissolve the bonds of matrimony between Franklin Love and Salena A. Love, and have found the same correctly enrolled.

Whereupon,

The Speaker signed the same.

Ordered, that the clerk carry said resolution to the Senate, for the signature of the President thereof.

The House, according to the order of the day, resolved itself into a committee of the whole on the bill to be entitled

An act authorizing the building a toll bridge across the Yellow Busha; Mr. Bell in the chair,

And after some time spent therein, the speaker resumed the chair,

When Mr. Bell reported that the committee had, according to order, had said bill under consideration; but having come to no determination thereon, had instructed him to report progress and ask leave to sit again.

On motion of Mr. Bell,

Ordered, that said report be received and agreed to.

On motion of Mr. Bingaman,

Ordered, that said bill lie on the table.

The Speaker laid before the House the report of the Auditor of Public Accounts, and State Treasurer; which,

On motion of Mr. Dunbar,

Were ordered to lie on the table.

And then the House adjourned, until 2 o'clock, P. M.

2 O'CLOCK, P. M.

The House met pursuant to adjournment,

When the following message was received from the Senate, by Mr. Gilbert, their reading clerk.

MR. SPEAKER:

The President of the Senate has this day signed "a resolution" from the House of Representatives, "to dissolve the bonds of matrimony heretofore existing between Franklin Love and Salena A. Love."

Mr. Barnes gave notice that he will on to-morrow ask leave to introduce a bill to be entitled

An act for the relief of Davis H. Hoopes.

The House, according to the order of the day, resolved itself into a committee of the whole, on the bill to be entitled

An act to repeal an act entitled "an act to reduce into one the several acts and parts of acts concerning high ways, ferries and bridges," passed the 16th day of December, 1831, so far as the same relates to the county of Hinds, and for other purposes; Mr. Barnes in the chair.

And after some time spent therein, the Speaker resumed the chair, when Mr. Barnes reported that the committee of the whole had, according to order, had said bill under consideration, had made sundry amendments thereto, and had instructed him to report the same as amended.

On motion of Mr. Barnes,

Ordered, that said report be received and agreed to.

On motion of Mr. Demoss,

Ordered, that said bill be engrossed and made the order of the day for a third reading on to-morrow.

A message from the Senate, by Mr. Gilbert, their reading clerk.

MR. SPEAKER:

The Senate have passed a bill to be entitled

"An act to divide the county of Yazoo," in which bill I am instructed to ask the concurrence of the House of Representatives.

And then he withdrew.

On motion of Mr. Dunbar,

The House proceeded to the consideration of the reports of the Auditor of Public Accounts and State Treasurer,

Which were laid before the House on this day and ordered to lie on the table. Whereupon,

The said reports were read, with the exception of document marked B, accompanying the report of the Auditor, and are as follows:

AUDITOR'S OFFICE, JACKSON, 15th January, 1833.

To the Honorable the House of Representatives:

In obedience to a resolution of the Legislature, adopted the 11th inst., requiring the Auditor of Public Accounts and State Treasurer to make their annual reports on this day, I have the honor to submit to the Senate the following report of the receipts and disbursements of the State, from the 10th November, 1831, up to the 1st day of the present month:

RECEIPTS.

Balance in the Treasury on the 10th Nov. 1831,	\$42,440 47
Received on account of the State tax,	51,995 99 1-2
Received on account of slaves sold as merchandize,	3,279 49
Received on account of fines and forfeitures,	2,326 05
Received on account of hawkers and pedlers,	500 00
Received on account of Saml. C. Wooldridge,	1,101 96 1-4
Received on account of Billiard Tables,	250 00
Received on account of the Bank of the State of Mississippi,	3,000 00
Received on account of Seminary Lands,	1,278 67 1-2
	\$106,172 64 1-4

DISBURSEMENTS.

Disbursed on account of the Executive Department,	\$ 6,151 74
Disbursed on account of the Legislative Department,	11,387 89
Disbursed on account of the Judiciary Department,	23,656 71
Disbursed on account of Appropriations,	3,874 77
Disbursed on account of Convention,	16,606 32
Disbursed on account of the Bank of the State of Mi.,	21,870 18
Disbursed on account of State of Mississippi,	2,326 88 8-4
Disbursed on account of Militia,	788 67
Disbursed on account of Elections,	234 00
Disbursed on account of Contingent Fund,	1,500 00
Disbursed on account of Literary Fund,	2,700 00
Disbursed on account of Seminary Lands,	150 00
Disbursed on account of Deaf and Dumb,	75 00
	\$91,322 16 3-4

The amount of disbursements deducted from the total amount of receipts, shews a balance in the Treasury of fourteen thousand eight hundred and fifty dollars, seventeen and one-half cents.

I refer the Legislature to statement A, for an exhibit of the balances due to and from the State, and to statement B, for the amount of each subject of taxation, and the total amount of State tax due thereon.

There still remains a balance due the State, by the late Samuel C. Wooldridge and his securities, of about \$955.

The State has collected this amount of interest from them, and they will pray to be released from a farther payment of the debt, I shall await the decision of the Legislature on this subject, to direct my course in regard to it.

I have allowed to the collectors, on a settlement with them, for the revenue of the last year, promiscuous vouchers to the amount of \$4,838 34 1-2, besides the insolvencies and excess of taxation allowed them by the Courts, and their commissions for assessing and collecting the revenue for which no warrants issued.—Deduct the amount in the Treasury on the 10th November, 1831, from the total amount of receipts, and it shews the nett amount of receipts during the last year to be \$63,732 17, after defraying all expenses and paying the above amount of promiscuous vouchers.

Deduct from the total amount of disbursements, the amount paid to the Bank of the State of Mississippi, and the amount vested in Bank stock, on account of the Literary Fund, and it shows the expenditures of the Treasury Department to be \$66,557 98 1-4, during the above period.

The ordinary expenditures of the State during the present year, may be safely estimated at not more than \$60,000.

The nett amount to be paid into the Treasury from the several sources of revenue, together with the amount now in the Treasury, will not be less than \$80,000, which will leave a balance in the Treasury, at the close of

the next fiscal year, of \$20,000; unless it should be disposed of by the Legislature.

The revenue of the present year exceeds that of the past, \$1,014 65 1-4, notwithstanding the last Legislature remitted the tax on Bank Stock, which amounted to \$3,120 31 3-4.

It is gratifying to your Auditor to lay before the Legislature this prosperous condition of the fiscal concerns of the State. Although the late Convention added greatly to the ordinary expenditures of the Government, all just demands against the Treasury, and the heavy debt due the Bank, have been promptly paid—leaving a surplus in the Treasury sufficient to meet the expenses of the present session of the Legislature.

In my opinion, it would be bad policy in the Legislature to increase the rate of taxation at the present time, however disposed they might be to make appropriations for necessary and favorite objects. If appropriations of more than the surplus revenue be required, they will certainly be for the accomplishment of some object of a lasting and permanent benefit; and for such objects we had better borrow money than to raise it by immediate and direct taxation; because the State will soon be thickly populated, and its wealth so increased, that what would now be considered a burthen, within a few years will scarcely be felt by our fellow citizens; and as these objects would be for the benefit of future settlers, it is nothing but just that they should bear an equal portion in paying for them.

In discharging the duty assigned me by law, I again visited the Planter's Bank, in the early part of December last, to inquire into its progress and management. By the polite attention of the Cashier, the books were severally opened to me, and the operations of the Bank, together with the beautiful and correct system by which they are kept, satisfactorily explained. It gives me great satisfaction to assure the Legislature that the ability and zeal manifested by the Directors and officers of the Bank, in the management of its concerns, are sure guarantees to the State, that her pecuniary interests in it are safely and profitably confided to their control. Notwithstanding the heavy expense it has necessarily incurred, by the purchase of houses and furniture for itself and offices, and the salaries of its officers, the first semi-annual dividend for the last year, was four per cent. and the dividend on the last six months, 4 1 2 per cent. After paying all the interest due on the State bonds, \$17,011 42 have been raised to the credit of the Sinking Fund, and to next out by the Commissioners for twelve months, at ten per cent. interest. Assuming that the future dividends of the Bank will equal the average amount of the past, that fund, managed as it now is, will amount to \$170,000, in the year 1841. When the first payment of the State bonds will become due, a sum sufficient to meet this payment, and leave a surplus of \$25,000, to assist in defraying the necessary and contingent expenses of the Government. The Planter's Bank, however, with all the prudent care of its officers, and the accomodating disposition of its Directors, has not met public expectation in the extent of its usefulness. Instead of being a

Planters Bank, & accommodated to their interest, it has been principally confined and narrowed down to the commercial accommodations of the towns in which the Bank and its offices are located. This effect is necessarily produced by a want of capital; and it is with the Legislature to say whether the capital of the Bank shall be so increased as to meet the wants of the people, and render it of general utility, or remain confined to its present limited sphere of action.

At present there is no Bank within our State at which the Planter can be accommodated. A loan for two or four months is no accommodation to him; because the product of his labor cannot be disposed of in time to meet the payment. Ours is an agricultural State, with but one staple commodity. Any obstacle thrown in the way of agricultural advancement must therefore be sensibly felt by the whole community. In a short time an extensive territory of land within our State will be in market. No pecuniary facility is offered the honest man in search of a small but comfortable home—to obtain which, he may be left to the mercy of merciless money brokers and speculators. If the State should not guard against this contingency, by affording suitable facilities in obtaining money, it is evident these lands will be purchased by money holders, with a view to speculation—a result dangerous to the rapid growth and prosperity of the State, and averse to the soundest principle of political economy.

The Bank of the State of Mississippi has already commenced calling in its loans. The United States Bank, in all probability, will soon wind up its affairs, and the heavy sums due it be demanded of our fellow citizens. To enable them to meet these exigencies, without pecuniary loss, an increase of banking capital is absolutely necessary. The *Planters Bank* is now in successful operation; its capital can be increased to the limits of its charter, with but little additional expense in its management. Such being the fact, an increase of its capital would more readily meet the wants of the people than any other plan that suggests itself to my mind. I have already shown that the Sinking Fund will pay the loan already negotiated by the State, with a handsome addition to her revenue. I shall now proceed to shew that the contemplated increase of capital will be more beneficial to the revenue of the State, with the same careful management. The State of Indiana has recently sold her State bonds, similar to ours, at a premium of fifteen per cent., no doubt is entertained but this State can obtain at least an equally advantageous loan. Should the Legislature deem it best to borrow the remaining amount of \$1,500,000, for the investment of stock authorized by the charter of the Bank and the Constitution of the State, the premium on this sum would amount to \$225,000; a sum sufficient to defray the expenses of the State for more than three years, without any taxation. Should they think proper to confide it to the management of the Commissioners of the sinking fund, it will amount to \$485,753 09 in ten year at 8 per cent. interest. But if the Legislature would borrow \$1,300,000 the premium on this amount would be \$195,000, which added to the amount borrowed, would make

the sum of \$1,495,000. The whole of this sum could be vested in stock, and semi-annual dividends accruing from the amount of the premium placed to the credit of the sinking fund, under the control of the commissioners. The dividends so declared, could be loaned at an interest of ten per cent, and thus loaned, would amount to \$505,774 in ten years, supposing the loans to be made annually; and a much larger sum, were the dividends loaned immediately after they were declared, which would frequently be the case. Thus after the expiration of ten years the simple interest upon the nett profits of the Bank would nearly defray the expenses of the Government, and at the same time afford a speedy relief to the pecuniary wants of the community; objects too desirable for arguments to give them additional claims to your consideration.

I cheerfully concur in the recommendation of the Executive so to amend the charter of the Bank as to give the preponderance of the Directory into the hands of the private stockholders, for the conclusive reasoning so ably advanced in his message.

In obedience to law, and from a sense of duty, I respectfully tender the following suggestions to the consideration of the Legislature:

1st. To authorize the Auditor to allow to Sheriffs their fees in criminal prosecutions, in which the State shall fail in the prosecution, and the costs be not taxed on the prosecutor, and in cases of conviction, where the defendant may be unable to pay the costs. At present there is no *positive* law authorizing the payment of their fees in such cases. The same reasons that induced the Legislature to pay the fees of Clerks in such cases out of the State Treasury, urge the claims of the Sheriffs to their fees from the same source. I have ever considered this a *casus omissus* in the law, and not a determination on the part of the State to require the labor of these officers for nothing.

2nd. That in all criminal prosecutions, the State should pay the witnesses summoned by the defendant, where the State fails in the prosecution, or where the defendant is convicted and unable to pay the cost. When a man is acquitted of a charge of guilt, it is evidence that he was not guilty of the crime of which he was accused; and it appears to me unjust to require of him to pay any part of the cost necessary in the suit to establish his innocence. Whenever the State succeeds in a prosecution, the defendant is required to pay all the costs of the suit. Whenever she fails in a prosecution, I think it nothing but sheer justice that she should do the same.

3rd. I respectfully suggest to the consideration of the Legislature, whether it would not be best to sell to the highest bidder, at a credit of one, two, and three years, the thirty six sections of land donated to the State by the General Government for a seminary of learning, and in order to guard against any possible fraud in the selling or combination in the purchasing of the lands, I would also suggest that three commissioners be appointed to value them on oath, by subdivisions, and that three-fourths of the valuation should be the minimum price at which they should be sold.

Since the 29th January, 1825, it has been the duty of the Auditor of Public Accounts to lease the unimproved parts of these lands to any person who would give the necessary bond to improve them as the law required. Since the 7th February, 1827, it has been his duty to lease, from time to time, to the highest bidder, such portions of them as were improved by the lessees after the expiration of their leases. These duties have been performed with a strict regard to the interest of the State, without attaining, in my humble opinion, the ends contemplated by the framers of the law. The whole amount for which these lands have been leased is \$3,328.50, including the expenses of leasing, amounting to about \$1200. This is, indeed, an inconsiderable sum, when compared to the dividends that would be declared on the amount for which they can be sold, vested in Bank stock. I am credibly informed, from many citizens residing in every county in which these lands are situated, that they are rapidly going to waste, and soon will be stripped of the most valuable of their timber, unless the most energetic means should be quickly adopted to prevent the trespasses daily committed upon them. As yet, the law has authorised no one to protect them, but left them to the fate of other public lands. I have made strict inquiry as to the probable value of these lands, and from the best information I have been able to obtain, I am warranted in the opinion that one-fourth or nine sections of them can be sold at an average price of 15 dollars per acre. The remaining three-fourths at an average of \$10, \$5, and \$3 per acre, which will make the sum of \$191,030. The first payment will amount to \$63,693.33 1-3. The interest upon this payment before the second becomes due will be \$6,369, at ten per cent. The simple interest on the first & second payments before the third becomes due will be \$19,108 after which time the annual interest will amount to \$19,108—more in my opinion than these lands will lease for in ten years by pursuing the present system of leasing. I have made the above calculation of interest upon the belief that the Legislature in order to insure the prompt payment of the bonds, will make them draw ten per cent interest after they become due until they are paid, and after they are paid, that the amount will be vested in Bank stock, upon which our Banks have heretofore usually declared ten per cent dividends. In making the calculations as to the value of the lands, I have not exaggerated, but assumed the medium price, set upon them by men of good judgment who reside on, or near them.

If the policy now suggested for the future disposition of the seminary lands would produce the pecuniary result above exhibited the political advantage the State would derive from bringing so much inert capital into useful and active employment, would claim its adoption at the hands of the Legislature. But higher considerations than this add their claims. The permanency of the political institutions of our State rests upon the virtue and intelligence of its citizens. Many of them are poor, and look to this grant of land as the means of assisting them to educate and di-

rect their children in the path of usefulness, virtue and religion. From the interest *alone* arising from the sale of these lands a seminary of learning might be supported, which could annually receive from the lap of penury two hundred of those Children, and as often return a like number to the bosom of society, prepared for the useful occupations of life. Thus would a pathway be opened from the door of the humblest cottage to the highest preferments within the gift of the State, and the genius of the child of misfortune be placed in honorable competition with that of the most opulent. A sense of duty, and a desire for the attainment of this object have induced me to submit the above suggestions for your deliberations.

4th. I respectfully suggest to the serious consideration of the Legislature whether it is not important to the interest of the citizens of the State so to adjust the revenue assessed upon the sales of Merchandise, that a tax amounting to prohibition may be assessed upon the sales of such articles of merchandise manufactured in the United States as are protected by the Tariff laws of the General Government to the injury of the planting and other interests of the citizens of this State, and to release from all taxation the sales of similar articles of foreign manufacture; the law to take effect upon the sales of merchandise purchased after the first day of July next.

The people of this State by their representatives have solemnly declared the Tariff laws of the General Government to be "contrary to the spirit of the Constitution of the United States, impolitic, and oppressive in their operation upon the Southern States, and ought to be resisted by all constitutional means." Placed by the partiality of those Representatives at the head of the revenue department of the State, I have felt it my duty in discharging the trust confided to me, to submit the above suggestion to your superior judgments as a Constitutional means of counteracting the oppressive operation of the Tariff system upon the prosperity and interest of our State by a suitable adjustment of our own revenue without placing the State or her laws in collision with the Constitution or laws of the United States. A project in my opinion, both dangerous and unnecessary.

It has been the policy of the State, from the commencement of her State Government to assess an annual tax upon the amount of the sales of the merchandise, sold within her limits, as so much capital in the hands of her merchants at the commencement of each year. Her right to tax this capital in the hands of her citizens has never been controverted. The Legislature has not only taxed this capital, but distinguishing between the articles sold, has varied the rate of taxation upon the sales of different articles with an evident regard to the good or bad effect that would result from the sale of the article to the safety and general good of the whole community. A low tax for example, is assessed upon the sales of ordinary articles of merchandise, because they are beneficial to the community at large, and add to the wealth of the State. A higher tax is assessed upon the sales of Wooden Clocks, to protect the citizen from

imposition, and the State from a useless drain of money. A still higher tax is laid on the sales of slaves, to discourage a traffic by which the public safety is in some degree endangered, the public good in no wise advanced, and the State drained of much money. In thus exercising the right of self protection, a right inherent in every sovereign community; the State in my humble opinion, has not attempted the exercise of any of those powers she relinquished for an equal participation in the benefits resulting from the union of the States. The tax proposed in the above suggestion varies not a shade in its principle, from the system of taxation so long acted upon by the State; its object is the safety, and general good of the whole community, the legitimate end of all taxation.

Should the Legislatures of the several Southern States assess a tax of fifty per cent. upon the sales of such articles of domestic manufacture as receive a protection from the General Government, detrimental to their interest, it would effectually shut out those articles from the Southern market, without which, the manufacturers of them could not long exist. The interest of the manufacturing capitalists would therefore induce them to yield to the claims of justice, and reduce the tariff to a revenue standard as proposed by the Executive of the General Government, which I humbly conceive is all important to the general good, and safety of the citizens of our State in the present unhappy aspect of the political affairs of our country.

In the careful and candid examination I have given this subject, I confess I have not been able to discover the smallest injury that could possibly result to any portion of our fellow-citizens from the practical operation of the law suggested. The large cities of the United States afford an ample supply of foreign merchandise of which our merchants can purchase as cheap as they can articles of the same quality manufactured in the United States: such will necessarily be the fact so long as foreign goods are brought to our market, for the simple reason that they could not be sold at all, unless the price and quality came in fair competition with the articles of domestic manufacture. The only difficulty that could arise, in my opinion, will be to distinguish between the articles of foreign and domestic manufactures. This is removed by the fact that all articles of manufacture, foreign and domestic, bear the impress of the manufactory at which they are made; to compensate for this difficulty, if any, our merchants will be released from taxation, by which they will be enabled to sell more goods, because they can sell them cheaper; for I believe it is acknowledged that the tax required of the merchant is added to the usual profits made upon the goods sold, and is thus paid by the consumers of the goods. If then, the tax upon merchandise enters into the price of the goods sold, the farmers, mechanics, and other citizens of our State, will be released by the operation of the law suggested, from an annual tax of about \$7,664 45, after the first of January next, at which time the State, from her increased wealth and population can well afford this diminution of revenue.

In the above remarks, I have attempted to show as far as the limits assigned to a report will admit me, that the law suggested, would be a constitutional remedy against the oppressive operation of the tariff, so loudly complained of by our fellow citizens, without bringing the State or her laws in collision with the constitution or laws of the General Government, without any possible injury to the interest of any portion of the citizens of the State, and without an improper diminution of the public revenue.

If my zeal to ward off oppression from my fellow-citizens has mislead my judgment and brought me into error, that error, I am confident will meet a happy corrective in your superior wisdom, without injury to the State. I also feel satisfied that the views I now have the honor to submit to your consideration, will be properly appreciated without any regard to their novelty or the humble source from which they emanated.

All of which, is respectfully submitted to your honorable body:

T. B. J. HADLEY,

Auditor of Public Accounts.

(A.)

THE BALANCES DUE TO AND FROM THE STATE.

Due from Thomas Hubert, dec'd,	45 00 3-4
Due from Alexander Frazier,	96 88 3-4
Due from Jordon Gibson, dec'd,	72 01 1-4
Due from R. C. Blount,	50 00
Due from John Love, dec'd, (judgment,)	431 22 1-2
Due from Mississippi College,	1,932 17 1-4
Due from Alfred Cox, (judgment,) but he has claims against the State for part of the amount,	905 70
Due from Wm. A. Wood, Literary Fund, (judgment,)	678 62 1-2
Due from Jefferson College,	10,000 00
Due from Bank of the State of Mississippi,	30,000 00

\$44,211 62 1-2

The State owes nothing.

NAMES of the several Counties in the State.	Value of Land.	Value of Town Lots.	Amount of sales of Merchandise.
ms,	788.174	832.257	771.0
e,	254.103	20.679	62
	32		31

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TREASURER'S OFFICE,
Jackson, 15th January, 1833.

To the Honorable David Pemble,
Speaker of the House of Representatives—

SIR—I have the honor to tender you, herewith enclosed, to be laid before the Honorable body over which you preside, a report of the fiscal operations of the Treasury, from the 10th of November, 1831, up to the 31st day of December, 1832.

And have the honor to be,

Very respectfully,

Your obed^t. servant,

JAMES PHILLIPS, *State Treasurer.*

TREASURER'S OFFICE,

Jackson, January 15, 1833.

To the Honorable the Legislature of the State of Mississippi.

GENTLEMEN:

It becomes my pleasing though arduous duty, under the requisitions of the various statutes of the State, as well as in obedience to a joint resolution of the two Houses of the present Legislature, once more to lay before your Honorable Body such information, condensed in due form, in relation to the financial concerns and operations of the Treasury Department, as my official situation enables me to afford; and in the performance of this duty it will not, I trust, at this peculiar period of our State Government be deemed arrogance or presumption if I should in some degree travel out of the usual and limited range of remark, to which in my former annual communications to the General Assembly I have so uniformly and pertinaciously adhered.

The great increase in the expenditures of the government for the present year should I think admonish those who wield and control the purse strings of the Treasury to look with the eye of vigilance not only into the abstract resources of the State, but also into the mode and extent of the future appropriations of its public treasure. That our State is daily increasing in its physical and pecuniary resources none can in justice deny; but that a system of political economy upon the re-organization of our State Constitution, and the formation and adoption of a code of laws predicated thereon, should form the ground work of that beautiful edifice which every patriot must feel anxious to aid in erecting, must with equal force be admitted.

The great *desideratum* which should direct the footsteps of every politician in the management of the fiscal affairs of the State should be to keep the opposite scales of the *receipts* and *disbursements* fairly balanced, and that in no case should the latter be permitted to preponderate the former. A retrospective view of this subject within our own State for the last ten years affords abundant cause, not only for contentment but even for gratulation. No year has closed upon us within that period and found the public coffers entirely exhausted. In some few instances

a balance has been shewn, after paying all the expenses of the current year of more than forty thousand dollars.

Your Treasurer is induced to believe that the present ratio of taxation as now fixed by law, if continued, together with a judicious management of the other branches of the public revenue, will be adequate for all the purposes of a wise and economical administration of the State government.

Intimately connected, however, with this subject, and one of vital importance to the pecuniary interest of the State is that of its landed property in and adjoining to the town of Jackson, and for making a few desultory suggestions upon which I trust I shall be pardoned.

In the month of January, 1823, under the authority of legislative enactment, about one hundred lots (which had been previously surveyed and laid off according to the original plan of said town) were sold on the following terms and conditions: The purchaser was required to pay one tenth of the purchase money at the time of sale and the balance in three equal annual instalments. No security was required, except a reversionary forfeiture of the property to the State, in the event of a failure to pay either of the instalments as they fell due.

Presuming that the Legislature will, at their present session, order a re-sale of all or at least a portion of the lots, I would respectfully suggest the propriety of fixing the terms and conditions thereof on a different basis, by requiring adequate *personal* security on all sums not paid at the time of sale. I would also beg leave most respectfully to suggest the expediency of laying out into lots and offering for sale all the *blank squares* within the town. This would add much to the increase of that portion of the revenue, and to the augmentation of the receipts of the treasury. The State has reserved to herself the right to do so, whenever in her opinion the public interest might require it. The Seat of Government being fixed at Jackson, by the Constitution, at least for a definite period, the present would seem to your Treasurer as the most auspicious moment for bringing them into market.

By an act of the last General Assembly, passed the 20th Decemler, 1831, it was made the duty of your Treasurer "to pay to the Bank of the State of Mississippi, on the first day of January, 1832, the debt due by the State to said Bank, with all interest due thereon, out of any moneys in the Treasury, not otherwise appropriated." This duty was performed on the 10th day of February last, which was as soon after the time stipulated in the above recited act as the preliminary arrangements could be made, and the precise amount of the debt satisfactorily ascertained. The receipts of the Cashier, as well as the documents upon which the original debt was predicated, are now on file in my office, subject to such order and disposition as your Honorable Body may deem necessary to make.

The debt due by the securities of the late Samuel C. Wooldridge, as Treasurer of the State, has been at length finally paid off, and discharged,

so far as the *principal* is concerned; and your Treasurer, as well as the Auditor of Public Accounts, entertaining some doubts whether, under the law and the existing state of the case, any *interest* could be legally or equitably demanded of the securities, I would respectfully suggest to your Honorable Body the necessity of such Legislative interposition, as will place the subject upon a clear and unequivocal basis.

Subjoined hereto is a statement of the receipts and disbursements at the Treasury from the 10th day of November, 1831, up to the 4th of March, 1832, the end of the fiscal year inclusive, shewing a net balance in the Treasury on that day of twenty thousand seven hundred and twenty-nine dollars and forty-four cents. Also, the receipts and disbursements from the 5th day of March, 1832, (the commencement of the fiscal year) up to the 31st day of December, 1832, inclusive, exhibiting a balance then also remaining in the Treasury of fourteen thousand nine hundred and ninety-one dollars and thirty-two and three fourth cents.

Amount remaining in the treasury on the 10th day of November, one thousand eight hundred and thirty-one, and transferred to new account, and placed to the credit of the State on that day, as shewn by Treasurer's Report, bearing date the 25th day of November, 1831, \$42,457 89

Amount received on account of State taxes, from the 10th day of November, 1831, up to the 4th day of March, 1832, inclusive, 19,374 54 1-2

Amount received on account of fines, forfeitures, and other sources accruing to the Literary Fund, 1,166 53

Amount received on account of moneys arising from Seminary Lands, during the same period, 1,117 99 1-4

Equal to \$64,116 95 3-4

DISBURSEMENTS,

Under the various heads of public expenditures during the same period, the payments being sustained by Auditor's warrants on file.

Disbursed on account of Legislative Department, from the 10th November, 1831, till 4th March, 1832, 10,907 89

Disbursed on account of Executive Department, during the same period, 1,576 74

Disbursed on account of the Judiciary Department, during the same period, 3,600 02 3-4

Disbursed on account of Appropriations, during the same period, 3,266 37

Disbursed on account of Literary Fund, during the same period, 40 00

Disbursed on account of the Militia, during the same period, 305 50

Disbursed on account of Seminary Lands, during the same period, 150 00

Disbursed on account of the Contingent Fund, during the same period, 1,500 00

Disbursed on account of the Bank of the State of Mississippi, during the same period,	21,730 00
Disbursed on account of the Deaf and Dumb of the State during the same period,	75 00
Disbursed on account of the State of Mississippi, during the same period,	235 99
Equal to	\$43,387 51 3-4

Which shews there to have been, on the close of the fiscal year, 1831; a balance of	\$20,729 44
Which sum was transferred to new account, and placed to the credit of the State on the commencement of the fiscal year, 1832, viz: 5th March, 1832,	\$20,729 44
Amount received on account of State Taxes from the 5th of March (the commencement of the fiscal year) up to the 31st day of December, 1832, inclusive,	37,752 90 1-4
Amount received on account of fines, forfeitures, and other sources accruing to the Literary Fund during the same period,	1,159 52
Amount received on account of the Bank of the State of Mississippi, during the same period,	3,000 00
Amount received on account of the Seminary Lands, during the same period,	160 68
Equal to	62,802 54 1-4

DISBURSEMENTS,

Under the various heads of public expenditure during the same period, and sustained by Auditor's warrants on file:

Disbursed on account of Legislative Department, from the 5th day of March up to the 31st day of December, 1832, inclusive,	480 00
Disbursed on account of the Executive Department, during the same period,	4,575 00
Disbursed on account of the Judiciary Department, during the same period,	19,957 24 3-4
Disbursed on account of Appropriations, during the same period,	586 40
Disbursed on account of the Literary Fund, during the same period,	2,700 00
Disbursed on account of the Militia, during the same period,	445 17
Disbursed on account of the Bank of the State of Mississippi, during the same period,	140 18
Disbursed on account of Elections, during the same period,	230 00

Disbursed on account of the State of Mississippi, during the same period,	2,090 89 3-4
Disbursed on account of the Convention, during the same period,	16,606 32

Equal to	<u>\$47,811 21 1-2</u>
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Exhibiting a balance in the Treasury on the 31st day of December, 1832, of	\$14,991 32 3-4
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All of which is most respectfully submitted.

JAMES PHILLIPS,
State Treasurer.

On motion of Mr. Boyd,

Ordered, that a select committee, to consist of five members, be appointed, and that the report of the Auditor of Public Accounts, together with the accompanying documents, be referred to said committee, with instructions to report such portions as should be printed;

And in pursuance thereto,

Messrs. Boyd, Dunbar, Tucker, Bingaman and Ragan, were appointed.

On motion of Mr. Keegan,

It was ordered that the report of the State Treasurer be also referred to said committee, with instructions to report such portions thereof as should be printed.

The bill to be entitled

An act to establish a permanent seat of justice in the county of Hancock,

Was read the second time.

On motion of Mr. Brewer,

Ordered, that said bill be engrossed, and made the order of the day for a third reading on to-morrow.

The resolution to dissolve the bonds of matrimony, heretofore existing between John Blakely and Nancy Blakely,

Was read the second time.

On motion of Mr. Carter,

Ordered, that said resolution be engrossed and made the order of the day for a third reading on to-morrow.

M. Bingaman, from the select committee, to whom was recommitted the bill to be entitled

An act to grant a site for a steam saw mill to Thomas J. Bryan, and others:

Reported, that the committee had, according to order, had said bill under consideration, had made an amendment thereto, and had instructed him to report the same as amended.

On motion of Mr. Bingaman,

Ordered, that said report be received.

Whereupon,

Said amendment was read and concurred in by the House.

The said bill as amended was then put upon its passage, and passed with its title as stated.

Ordered, that the clerk carry said bill to the Senate, and request their concurrence therein.

On motion of Mr. Richardson, the House proceeded to the consideration of the bill to be entitled

An act to provide for the erection of public buildings and selling a portion of the public lots in the town of Jackson;

Which was read the second time.

On motion of Mr. Richardson,

Ordered, that said bill be committed to a committee of the whole House and made the order of the day for to-morrow.

On motion of Mr. Bole,

The House proceeded to the consideration of the bill from the Senate, entitled

An act to divide the county of Yazoo.

Whereupon,

Said bill was read the first time.

On motion of Mr. Tucker,

Resolved, That a select committee of three members be appointed, who shall take under their consideration the propriety of memorializing the Congress of the United States, upon the subject of removing the place of holding the Federal District Court to the town of Jackson, and that they have leave to report by memorial or otherwise.

Whereupon,

Messrs. Tucker, Dixon and Vannorman, were appointed.

Mr. Harper asked and obtained leave to introduce a resolution in relation to the public domain south and west of the old Choctaw line, in the state of Mississippi;

Which was read the first time.

On motion of Mr. Boyd,

The House proceeded to the consideration of the bill to be entitled

An act to authorize the board of county police, of the several counties in this state, sell the school lands within the limits of the same and for other purposes.

Whereupon,

Said bill was read the second time.

On motion of Mr. Boyd,

Ordered, that said bill be committed to a select committee of three members;

And in pursuance thereto,

Messrs. Boyd, Howard, and Demoss, were appointed.

Mr. Ragan, gave notice, that he will, on to-morrow, ask leave to introduce a bill to be entitled

An act to revive and continue the provisions of an act entitled "an act to

authorize Zachariah Lee to erect and keep a toll bridge over Leaf River, approved December 15th, 1830."

And then the House adjourned.

Wednesday, January 16, 1833.

The House met pursuant to adjournment.

Mr. Ellis presented the petition of William MacGehee, praying the legislature to pass an act making valid his acts as treasurer, to the County Court of Jones county.

On motion of Mr. Ellis,

Ordered, that said petition be referred to a select committee of three members;

And in pursuance thereto,

Messrs. Ellis, McDonald, and Dixon, were appointed.

A message from the Senate, by Mr. Gilbert, their reading clerk.

MR. SPEAKER:

The Senate have passed a bill to be entitled an act to dispense with the time prescribed by law for John H. Randolph, of Wilkinson county, attaining the age of majority; which bill originated in the House of Representatives.

The Senate have also passed a bill to be entitled

An act to abolish the third Chancery District; in which latter bill, I am instructed to ask the concurrence of this House.

And then he withdrew.

Whereupon,

Said bill was read the first time.

Mr. Boyd presented the petition of the President and Directors of the West Feliciana Rail Road Company, praying the legislature to grant to the said company full and ample powers within this state, to have and exercise the usual powers and privileges of banking companies.

On motion of Mr. Boyd,

Ordered, that said petition be referred to a select committee of five members, with leave to report by bill or otherwise.

And in pursuance thereto,

Messrs. Body, Richardson, Howard, Learned and Bell were appointed.

By leave of the House, Mr. Dixon introduced the following resolution, which was adopted.

Resolved, That the clerk of this House be authorized, forthwith, to procure, for the use of the present session of the legislature, a sufficient quantity of paper and other articles of stationery, which he may deem necessary.

Mr. Bole, from the select committee, to whom was referred the petition

of John Carraway, praying the legislature to pass an act authorizing him to retain possession of the west half of the sixteenth section of township No. 12, of range 2, west, the unexpired term of a lease made to him by the trustees of the school section in said township.

Reported, that the committee had, according to order, had said petition under consideration and had instructed him to report a bill to be entitled
An act for the relief of John Carraway.

On motion of Mr. Bole,

Ordered, that said report be received.

Whereupon,

Said bill was read the first time.

Mr. Shelby, from the select committee, to whom was referred the petition of Thomas Ward, a citizen of Washington county, praying the legislature to pass an act authorizing him to sell two lots of land, the property of his son Jeremiah Saunders Ward, a minor—

Reported, that the committee had had the same under consideration, and had instructed him to report a bill to be entitled

An act to authorize Thomas Ward to sell the real estate of his son, Jeremiah Saunders Ward.

On motion of Mr. Shelby,

Ordered, that said report be received.

Whereupon,

Said bill was read the first time.

Mr. Martin, from the select committee to whom was referred the petition of John Pearce and others, praying the legislature to pass an act allowing the said Pearce to sell spiritous liquors without license:

Reported, that the committee had had the same under consideration and instructed him to report, that the prayer of said petitioners is unreasonable and ought not to be granted.

On motion of Mr. Martin,

Ordered, that said report be received and agreed to.

On motion of Mr. Boyd,

Ordered, that Mr. Vannerson be added to the committee raised on the petition of the President and Directors of the West Feliciana rail road company.

Mr. Dunbar, from the committee to whom was referred so much of the Governor's message as relates to the Planter's Bank of the state of Mississippi,

Reported, that the committee had, according to order, had the same under consideration, and had instructed him to report a bill to be entitled

An act further to amend an act entitled "an act to establish a Planter's Bank in the state of Mississippi, passed on the day of 1830, and for other purposes."

On motion of Mr. Dunbar,

Ordered, that said report be received.

Whereupon,

Said bill was read the first time.

Mr. Vick moved, that the clerk have three hundred copies of said bill printed for the use of this House.

Mr. Vannorman moved, that five hundred copies of said bill be printed;

And the question being taken thereon,

It was decided in the negative.

The question was then taken on Mr. Vick's motion to have three hundred copies printed,

And decided in the negative.

It was then moved by Mr. Boyd, that one hundred copies of said bill be printed; and the question being taken thereon,

It was also decided in the negative.

Whereupon,

It was moved by Mr. Dunbar, that sixty copies of said bill be printed;

And the question being taken thereon,

It was decided in the affirmative.

Mr. Boyd, from the select committee to whom was referred the reports of the Auditor of Public Accounts and State Treasurer, with instructions to report to the House what portion of said reports should be printed—

Reported, that the committee had, according to order, had the same under consideration, and had instructed him to report that copies of each of the said reports (together with the accompanying documents) should be printed.

On motion of Mr. Boyd,

Ordered, that said report be received.

Mr. Vick moved, that five hundred copies of the Auditor's report and accompanying documents be printed.

Mr. Richardson moved, that one thousand copies of the said report and documents be printed.

And the question thereon being taken,

It was decided in the negative.

The question was then taken on Mr. Vick's motion,

And decided in the affirmative.

It was then moved by Mr. Keegan, that five hundred copies of the Treasurer's Report be also printed;

And the question being taken thereon,

It was decided in the affirmative.

And then the House adjourned.

Thursday, January 17, 1833.

The House met pursuant to adjournment.

Mr. Barnes presented the account of Benjamin F. Stockton, for advertising notice for President of the United States, in Claiborne county:

And the account of Davis H. Hoopes, for professional services rendered in the case of the state against Moses Cox, Daniel Bucklay and Joseph C. White, charged with the murder of James Ray.

On motion of Mr. Barnes,

Ordered, that said accounts be referred to the committee on claims.

Mr. McRae presented the accounts of John McDonald, Daneil McDuffee, Isaac Roberts, James Williams and Irvin Roberts, for services performed in guarding the jail of Green county, for the safe keeping of John Johnson, a prisoner, charged with murder.

On motion of Mr. McRae,

Ordered, that said accounts be referred to the committee on claims.

Mr. Stockton, from the committee on enrolled bills made the following report:

MR. SPEAKER:

The joint committee on enrolled bills did on yesterday examine a resolution dissolving the bonds of matrimony, &c.

An act to emancipate a slave therein named; and

An act to dispense with the time prescribed by law for John H. Randolph, of Wilkinson county attaining the age of majority;

And have found the same correctly enrolled.

Whereupon,

The Speaker signed said bills.

Ordered, that the clerk carry them to the Senate, for the signature of the President thereof.

Mr. Beatie presented the account of John Carson, for services performed as Constable, in serving warrant on Elizabeth Avers, Hiram Walker, and Agnes Walker, subpoenaing witnesses, &c.

On motion of Mr. Howard,

Ordered, that said account be referred to the committee on claims.

Mr. Bole presented the account of William L. Trimble, administrator of Frederick B. Trimble, deceased, for prosecuting action of debt by said F. B. Trimble in the Yazoo Circuit Court, against Charles McGehee, a vendor of slaves in Yazoo county, for failing to give bond in accordance with the statute, approved 20th February, 1825.

On motion of Mr. Bole,

Ordered, that said account be referred to the committee on claims.

Mr. Howard made the following report:

MR. SPEAKER:

The undersigned, one of the committee to whom was referred so much of the Governor's message, as relates to the Planter's Bank, and being in the minority of said committee, begs leave respectfully to report:

That the bill to amend the charter of said bank, reported by said committee, so far as its provisions extend, does not seem to him objectionable. He believes that the interest of the state and public convenience require that the charter of the Planter's Bank, should at this session of the legislature be carried fully into effect, by vesting further stock of the state

therein, to amount of one million and a half of dollars, as is contemplated by the 9th section of the 7th article of the revised constitution. If the property of each individual of the state is to be pledged by legislative enactment for the purpose of extending loans to its citizens, he believes that the several sections of the state ought *equally* to enjoy the accommodation and benefit of such loans, according to the number of inhabitants and their commercial resources.

It is the opinion of the undersigned, that other provisions ought to be added to said bill, in substance as follows:

1. That as soon as further bonds of the state, to the amount of \$1,500,000 shall be sold, it shall be the duty of said bank to establish a branch thereof, at the town of *Manchester*, in the county of Yazoo.

2. That until the mother bank shall be removed to the seat of government, as is contemplated by the 27th section of the charter of the said bank, it shall be the duty of the Directors of said bank to establish a branch of said bank at the seat of government.

3. That books for the subscription of stock should be opened at both of said places, in the same manner as has been done at other places where branches of said bank have been established.

4. That after the one million of private stock in said bank shall have been subscribed by individuals, the legislature shall have power to increase the capital of said bank to a sum not exceeding five millions of dollars, as in their opinion the public exigencies require, without the consent of the Directors or Stockholders of said Bank; all which is respectfully submitted.

N. G. HOWARD.

On motion of Mr. Howard,

Ordered, that said report be received, and that the same do lie on the table.

Mr. Bingaman, from the select committee, to which was referred "so much of the Governor's message as relates to the resolutions from the States of Louisiana, Maine and New-Hampshire, with the accompanying documents," beg leave to report:

That they have had them under consideration and would recommend, in regard to the resolution first named, the adoption of the following resolution:

Be it resolved by the House of Representatives of the legislature of the State of Mississippi, that we deem it inexpedient to concur in the resolution of the Senate and House of Representatives of the state of Louisiana, in general assembly convened, requesting the President of the United States to order the United States' engineers to make all the necessary surveys and estimates for a rail road from New Orleans to Washington city," inasmuch as we are unprepared at this time to enter upon a scheme of internal improvement on so extensive a scale.

2. Resolved, That the Governor be requested to forward a copy of these resolutions to the executive of the state of Louisiana.

In relation to the resolutions from the states of Maine and New Hamp-

shire, and that portion of the message which points to their consideration, your committee would express the belief that the sentiments of a majority of the people of this state in regard to the subject to which they relate, are in accordance with those expressed by the general assembly in the year 1829, declaring the tariff law of 1828, so far as it contemplated a system of protection, carried beyond the manufacture of such articles as are necessary to the national defence to be "contrary to the spirit of the constitution of the United States, impolitic and oppressive in its operation on the southern states, and should be resisted by all constitutional means." But fearful lest false inferences should be drawn from this expression of public opinion, inferences calculated to induce a belief that this state is prepared to advocate and uphold the disorganizing doctrines recently promulgated in South Carolina:

Your committee deem it their duty to speak plainly, and to undeceive their sister states, in this respect. We are opposed to nullification. We regard it as a *heresy* fatal to the existence of the Union. "It is resistance to law by force—it is disunion by force—it is civil war."

Your committee are constrained to express the opinion, that the state of South Carolina has acted with a *reckless* precipitancy, (originating, we would willingly believe in delusion) well calculated to detract from her former high character for *wisdom* in council, *purity* of *patriotism* and a solicitous regard for the preservation of those fundamental principles, on which *alone* rest the peace, the prosperity and permanency of the Union.

Your committee deeply deplore the alarming crisis in our national affairs. They regret it the more as proceeding from the unwarrantable attitude assumed by a sister of the South, whose best interests are identified with our own. In the spirit of brethren of the same family, we would invoke them to pause—to harken attentively to the paternal, yet ominous warning of the Executive of the Union. We would conjure them to await patiently the gradual progress of public opinion; and to rely with patriotic confidence on the ultimate decision of the *talented statesmen* and *pure patriots* in the Congress of the United States. But they would also loudly proclaim, that this state owes a duty to the Union above all minor considerations. That she prizes that Union not less than liberty alone. That we heartily accede in the general political sentiments of the President of the United States, as expressed in his recent proclamation; and that we stand firmly resolved, at whatever sacrifice of feeling, in all events, and at every hazard, to sustain him in enforcing the paramount laws of the land, and preserving the integrity of the Union—that Union whose value we will never stop to calculate—holding it as our fathers held it, precious above all price.

Your committee would therefore, recommend the adoption of the following resolutions:

Be it resolved by the House of Representatives of the State of Mississippi, that in the language of the father of his country, we will "indignantly frown upon the first dawning of every attempt to alienate any por-

tion of our country from the rest, or to enfeeble the ties which link together its various parts."

2. Resolved, That the doctrine of nullification is contrary to the letter and spirit of the constitution, and in direct conflict with the welfare, safety and independence of every state in the Union. That to no one of them would its consequences be more deeply disastrous, more ruinous than to the state of Mississippi; that state in which are concentrated our dearest interests, around which cling our most tender ties, the fair land of our nativity or adoption, the haven of our hopes, the home of our hearts.

3. Resolved, That we will, with heart and hand, sustain the President of the United States in the full exercise of his legitimate powers to restore peace and harmony to our distracted country, and to maintain unsullied and unimpaired, the honor, the independence and integrity of the Union.

On motion of Mr. Bingaman,

Ordered, that said report be received.

On motion of Mr. Vick,

Ordered, that the same do lie on the table.

Mr. Barnes moved that three hundred copies of said report be printed.

Mr. Keegan moved to amend said motion by striking out the words "three hundred" and inserting in lieu thereof the words "five hundred," and the question being taken thereon,

It was decided in the affirmative.

By leave of the House, Mr. Howard introduced the following resolution, which was adopted:

Resolved, That it shall be the duty of the door keeper, to obtain from the public printer and furnish to each member of this House, a copy of such bills and documents as have been or may be printed by order of either House of the Legislature, during this session.

Mr. Boyd, from the select committee, to whom was referred the bill to be entitled

An act to authorize the board of county police of the several counties in this state to sell the school lands within the limits of the same, and for other purposes—

Reported, that the committee had, according to order, had said bill under consideration, had made an amendment thereto, and had instructed him to report the same as amended.

On motion of Mr. Boyd,

Ordered that said report be received.

Whereupon,

Said amendment was read and concurred in by the House.

On motion of Mr. Boyd,

Ordered, that said bill be committed to a committee of the whole House and made the order of the day for Monday next.

Mr. Morrison from the select committee to whom was referred the petition of sundry citizens of Hinds county, praying the passage of an act reviving and amending the act passed at the last session of the legislature

authorizing a lottery to raise a fund for the purpose of removing the obstructions to the navigation of Big Black river, reported

That the committee had had said petition under consideration, and had instructed him to report a bill to be entitled An act to amend an act to authorize the raising by way of lottery, a sum of money for the purpose of opening and improving the navigation of Big Black.

On motion of Mr. Morrison,

Ordered that said report be received.

Whereupon

Said bill was read the first time.

Mr. Vick, from the select committee to whom was referred the petition of sundry citizens of Warren county, praying the passage of an act incorporating an insurance company in the town of Vicksburg—

Reported that the committee had according to order, had said petition under consideration, and had instructed him to report a bill to be entitled an act to incorporate the Mississippi Insurance Company at Vicksburg.

On motion of Mr. Vick,

Ordered that said report be received.

Whereupon,

Said bill was read the first time.

Mr. Tucker, from the joint committee to whom was referred the fourth article of the Constitution, reported that the committee have had the same under consideration, and have performed their duty in relation thereto in part, and have instructed him to report a bill to be entitled An act to establish and organize the High Court of Errors and Appeals, and to define the powers and jurisdiction thereof.

On motion of Mr. Tucker,

Ordered that said report be received.

Whereupon,

Said bill was read the first time.

Mr. Boyd moved that two hundred copies of said bill be printed for the use of this House.

And the question being taken thereon,

It was decided in the negative.

Mr. Howard moved that one hundred and fifty copies of said bill be printed.

And the question being taken thereon,

It was also decided in the negative.

Whereupon,

On motion of Mr. Vick,

It was ordered that one hundred copies of said bill be printed.

The engrossed bill to be entitled An act to designate a public road in the counties therein named, was read the third time and passed with its title as stated.

Ordered that the clerk acquaint the Senate therewith, and request their concurrence therein.

The engrossed bill to be entitled An act to repeal an act entitled "An act to reduce into one the several acts and parts of acts concerning Highways, Ferries and Bridges, passed the 16th day of December, 1831," so far as the same relates to the county of Hinds, and for other purposes,

Was read the third time.

Mr. Boyd moved that the same do lie on the table.

And the question being taken thereon,

It was decided in the negative.

The question was then taken on the passage of said bill,

And decided in the affirmative.

Ordered that the title thereof be as stated.

Ordered that the clerk carry said bill to the Senate and request their concurrence therein.

The engrossed bill to be entitled An act to establish a permanent seat of justice in the county of Hancock, was read the third time, and passed with its title as stated, and

The engrossed Resolution to dissolve the bonds of matrimony heretofore existing between John Blakely and Nancy Blakely, was read the third time, and passed by a constitutional majority, (two-thirds of the members concurring therein.)

Ordered that the clerk carry said resolution and bill to the Senate and request their concurrence therein.

A message from the Senate, by Mr. Dickson, their Secretary.

MR. SPEAKER:

The Senate have passed bills and resolutions from the House of Representatives of the following titles, to wit:

A bill to be entitled An act for the relief of Mary Ann, a free woman of colour.

A bill to be entitled An act to make legitimate Robert Coleman, and for other purposes.

A resolution to confirm the decree of the Chancery court for the Eastern District of the State of Mississippi, made at the August term, 1832, dissolving the bonds of matrimony between Jesse Williamson and Simeon Williamson, with an amendment thereto, in which amendment they desire the concurrence of the House of Representatives.

A resolution to sanction and confirm the decree of the Chancery court of this State dissolving the bonds of matrimony between R. L. Smith and Mary Smith, and

A resolution to dissolve the bonds of matrimony between Kinsey Leyton and Sarah Leyton.

The Senate have passed a bill to incorporate the Gallatin Female Academy, in which bill they desire the concurrence of the House of Representatives. They have given leave to introduce bills of the following titles, to wit:—

A bill to be entitled

An act to amend "an act to revise the militia system, passed February 12th, 1830," and a bill to be entitled

An act, to establish a board of county police, and to vest said board with civil appellate jurisdiction.

The President of the Senate has signed An act to emancipate a certain slave therein named.

An act to dispense with the time prescribed by law, for John H. Randolph of Wilkinson county, attaining the age of majority, and a resolution to dissolve the bonds of matrimony, &c.

And then he withdrew.

On motion of Mr. Keegan,

Ordered, that this House do concur in the amendment made by the Senate to the resolution, to confirm the decree of the Chancery Court for the Eastern District of the State of Mississippi, made at the August term, 1832, dissolving the bonds of matrimony, between Jesse Williamson and Simeon Williamson.

Ordered, that the clerk notify the Senate thereof.

The bill from the Senate to incorporate the Gallatin Female Academy, Was read the first time.

The House according to the order of the day, resolved itself into a committee of the whole, on the bill from the Senate to be entitled

An act, to take the census of the State of Mississippi, for the year 1833.

Mr. McDonald in the chair, and

After some time spent therein,

The speaker resumed the chair, and

Mr. McDonald reported that the committee of the whole had had said bill under consideration, but having come to no determination thereon, had instructed him to report progress, and ask leave to sit again at two o'clock, P. M. on this day,

On motion of Mr. McDonald,

Ordered, that said report be received and agreed to.

And then the House adjourned, until 2 o'clock, P. M.

2 O'CLOCK, P. M.

The House met pursuant to adjournment,

And according to the order of the day, resumed in committee of the whole, the consideration of the bill from the Senate to be entitled

An act to take the census of the State of Mississippi, for the year 1833, Mr. McDonald *again* in the chair, and

After some time spent therein,

The speaker resumed the chair, when Mr. McDonald

Reported that the committee of the whole had *again* had said bill under consideration, and had instructed him to report the same without amendment.

Mr. McDonald moved that said report be received and agreed to.

Mr. Bell demanded a division of the question.

When it was taken on receiving said report,
And decided in the affirmative.

It was then taken on agreeing to said report,
Which was also decided in the affirmative.

On motion of Mr. Howard,

Ordered, that said bill lie on the table.

The bill to be entitled an act, to provide for the erection of public buildings, and selling a portion of the public lots in the town of Jackson, was in order for a committee of the whole House.

On motion of Mr. Keegan,

Ordered, that the order on said bill be postponed until to-morrow.

On motion of Mr. Vance, the House proceeded to consider the bill to be entitled

An act to authorize the building a toll bridge across the Yellow Busha.
Whereupon,

It was ordered, on motion of Mr. Dunbar, that the committee of the whole House be discharged from the further consideration of said bill.

It was then ordered, on motion of Mr. Vance, that the said bill be referred to a select committee of three members, and in pursuance thereto: Messrs. Vance, Bole and Shelby were appointed.

The following written message was received from His Excellency the Governor, by A. Albert Allen, Esq. his private Secretary.

Gentlemen of the House of Representatives:

I have recently received from His Excellency Governor Lumpkins, copies of reports and resolutions, passed by the Legislature of the State of Georgia; also a copy of resolutions from Governor Reynolds, passed by the Legislature of the State of Illinois, which are respectfully submitted for your consideration.

A. M. SCOTT.

EXECUTIVE OFFICE, }
Jackson, January 17, 1833. }

The said message and accompanying documents being read;

It was ordered, on motion of Mr. Keegan,

That the same be referred to the committee, raised on so much of His Excellency's former message, as relates to the resolutions from the States of New Hampshire, Main and Louisiana.

On motion of Mr. Richardson,

Ordered, that two additional members be added to said committee, and in pursuance thereto, Messrs. Dunbar and Bell were appointed.

Mr. Learned moved that the House adjourn,

And the question being taken thereon,

It was decided in the negative.

The bill from the Senate, to be entitled

An act, to divide the county of Yazoo,

Was read the second time.

On motion of Mr. Tucker,

Ordered, that said bill be made the order of the day for a third reading on to-morrow.

The bill from the Senate to be entitled

An act to abolish the third Chancery District,

Was read the second time.

On motion of Mr. Carter,

Ordered, that the same do lie on the table.

The resolution in relation to the public domain, south and west of the old Choctaw line, in the State of Mississippi,

Was read the second time.

On motion of Mr. Harper,

Ordered, that said resolution be engrossed and made the order of the day for a third reading on to-morrow.

The bill to be entitled

An act, for the relief of John Carraway,

Was read the second time.

On motion of Mr. Bole,

Ordered, that said bill be engrossed and made the order of the day for a third reading on to-morrow.

The bill to be entitled

An act to authorize Thomas Ward to sell the real estate of his son Jeremiah Sanders Ward,

Was read the second time.

On motion of Mr. Vick,

Ordered, that said bill be engrossed and made the order of the day for a third reading on to-morrow.

The bill to be entitled

An act, further to amend an act, entitled "an act to establish a Planters Bank in the State of Mississippi, passed on the day of 1830, and for other purposes,"

Was in order for a second reading.

On motion of Mr. Bell,

Ordered, that the same do lie on the table.

And then the House adjourned.

Friday, January 18, 1833.

The House met pursuant to adjournment.

Mr. Brewer presented the petition of sundry citizens of Hancock county, praying the legislature to pass an act compelling the Indians to remove beyond the limits of said county.

On motion of Mr. Brewer,

Ordered that said petition be referred to the committee on Propositions and Grievances.

Mr. Bingaman presented the petition of James Railey, a citizen of the county of Adams, an acting representative of Mary H. Green and James Green, deceased, praying the Legislature to pass an act emancipating from the bonds of slavery two negro slaves, to wit: A man named Grainger and a woman named Aggy.

On motion of Mr. Bingaman,

Ordered that said petition be referred to a select committee of two members,

Whereupon,

Messrs. Bingaman and Vannerson were appointed.

Mr. Learned presented the petition of sundry citizens of Marion county, praying the Legislature to pass an act granting a charter for building a toll bridge over Black creek in said county.

On motion of Mr. Learned,

Ordered that said petition be referred to a select committee of four members,

And in pursuance thereto,

Messrs. Learned, Vannorman, Harper, and Martin were appointed.

Mr. Vick presented the petition of Gadi Gibson, late Jailor of Warren county, praying the Legislature to pass an act granting him an allowance for sustenance furnished certain prisoners in the Jail of said county, and insolvencies as tax collector for the years 1823 and 1829.

On motion of Mr. Vick,

Ordered that said petition be referred to the committee on Claims.

Mr. Beatie presented the petition of David W. Haley and others, praying the Legislature to pass an act incorporating the Pearl River Academy, an institution of learning in the county of Madison.

On motion of Mr. Howard,

Ordered that said petition be referred to a select committee of three members,

And in pursuance thereto,

Messrs. Beatie, Howard, and Bole were appointed.

Mr. Vance presented the petition of sundry citizens of Yazoo county, praying the Legislature to pass an act establishing a branch of the Planters' Bank of the State of Mississippi, at the town of Manchester, in said county.

On motion of Mr. Vance,

Ordered that said petition lie on the table.

Mr. Ragan presented the petition of James L. Jolly, Sheriff of Covington county, praying the Legislature to pass an act allowing him a compensation for attendance on the election of President and Vice President in said county.

On motion of Mr. Ragan,

Ordered that said petition be referred to the committee on Claims.

Mr. Brewer presented the petition of Charles Favre, a citizen of the county of Hancock, praying the Legislature to pass an act emancipating from the bonds of slavery, a certain mulatto boy.

Mr. Boyd moved that said petition be rejected.

And the question being taken thereon,

It was decided in the negative.

Whereupon,

On motion of Mr. Brewer,

Ordered that said petition be referred to a select committee of three members,

And in pursuance thereto,

Messrs. Brewer, Harper, and Beasley were appointed.

Mr. Stockton, from the committee on enrolled bills, made the following report:

MR. SPEAKER:

The joint committee on enrolled bills have this day examined bills and resolutions of the following titles, to wit:

A resolution to confirm the decree of the Chancery court for the Eastern District of the State of Mississippi, made at the August term, 1832, dissolving the bonds of matrimony between Jesse Williamson and Simeon Williamson.

A resolution to sanction and confirm the decree of the Chancery court of this State, dissolving the bonds of matrimony between R. L. Smith and Mary Smith.

A resolution to dissolve the bonds of matrimony heretofore existing between Kincey Layton and Sarah Layton.

An act to make legitimate Robert Coleman, and for other purposes.

An act for the relief of Mary Ann, a free woman of color.

And have found the same correctly enrolled.

The Speaker signed said bills.

Ordered that the clerk carry them to the Senate for the signature of the President thereof.

Mr. Demoss presented the petition of Dennis Myrick, praying the Legislature to pass an act, extending to him the privilege of closing his contract with the State, in relation to the ferry at the town of Jackson, on such terms as were allowed Eli Myrick.

On motion of Mr. Demoss,

Ordered, that said petition be referred to a select committee of three members, with leave to report by bill or otherwise:

And in pursuance thereto, Messrs. Demoss, Morrison and Powell were appointed.

Mr. Vannerson presented the account of Horace Gridley, Sheriff of Adams county, praying the Legislature to pass an act, allowing him the sum of five hundred and nineteen dollars and fifty-six cents, for services rendered, as set forth in said account.

On motion of Mr. Vannerson,

Ordered, that said account be referred to the committee on claims.

A message from the Senate by Mr. Dickson, their Secretary.

MR. SPEAKER:

The Senate have passed bills from the House of Representatives, of the following titles, viz:

A bill to be entitled

An act, to emancipate and set free two slaves, belonging to the estate of the late David Holmes, former Governor of this State.

A bill to be entitled

An act to dispense with the time required by law, for George I. Griffin, of Hinds county, attaining the age of majority.

And a bill to be entitled

An act to dispense with the time required by law, for George W. Nevitt, of Adams county, attaining the age of majority.

And then he withdrew.

Mr. Vannerson, from the select committee to whom was referred, the bill to be entitled

An act, to authorize Samuel Carson, guardian, to remove the estate of his wards to the State of Kentucky, and for other purposes—

Reported, that the committee had according to order, had said bill under consideration, had made an amendment thereto, and had instructed him to report the same as amended.

On motion of Mr. Vannerson,

Ordered, that said report be received.

Whereupon,

Said amendment was read and concurred in by the House.

On motion of Mr. Barnes,

Ordered, that said bill be committed to a committee of the whole House, and made the order of the day for to-morrow.

On motion of Mr. Boyd,

Resolved, that so much of the Auditor's Report as contains suggestions and recommendations, as to the means of counteracting the injurious effects of the tariff laws of the General Government, upon the planting and other interests of the citizens of this State, be referred to a select committee of three, with leave to report upon the same;

And in pursuance thereto, Messrs. Boyd, Shelby and Dixon were appointed.

The bill from the Senate to be entitled

An act to divide the county of Yazoo, was read the third time and passed with its title as stated.

Ordered, that the clerk acquaint the Senate therewith.

On motion of Mr. Morrison, the House proceeded to the consideration of the resolution, proposing to submit the clause of the Constitution, prohibiting the introduction of slaves into this State, to a select committee of five members.

And the question being taken on the adoption of said resolution, It was decided in the affirmative.

YEAS 28—NAYS—6.

The yeas and nays being called for by three of the members present—

Those who voted in the affirmative are—

Messrs. Speaker, Allen, Beasley, Beatie, Bell, Bole, Boyd, Brewer, Carter, Demoss, Edwards, Ellis, Howard, Keegan, Learned, Martin, McRae, Morrison, Powel, Ragan, Richardson, Shelby, Shurtleff, Stockton, Vance, Vick, Vannerson, Vannorman,—28.

Those who voted in the negative are—

Messrs. Barnes, Bingaman, Dunbar, Dixon, Harper, Tucker,—6.

So the resolution was adopted.

And in pursuance thereto,

Messrs. Morrison, Vannerson, Howard, Bell and Vick were appointed.

The engrossed resolution in relation to the public domain, south and west of the old Choctaw line, in the State of Mississippi,

Was read the third time;

Whereupon,

On motion of Mr. Vannorman,

Ordered, that said resolution be referred to a select committee of five members;

And in pursuance thereto,

Messrs. Harper, Martin, Vannorman, Bell and Keegan were appointed.

On motion of Mr. Dixon,

The vote taken on the resolution, proposing to refer so much of the Auditor's Report as contains suggestions and recommendations, on the subject of the tariff laws of the General Government, to a select committee of three was re-considered.

Whereupon,

On motion of Mr. Bell,

Ordered, that said resolution lie on the table.

Mr. Dixon called for the consideration of the annual reports made to this House by the Auditor of Public Accounts and State Treasurer;

And the question being taken thereon,

It was decided in the negative.

On motion of Mr. Stockton,

Resolved, that so much of the Governor's Message as relates to the debts, credits, and expenditures of the government, be referred to the committee of accounts.

On motion of Mr. Demoss;

Ordered, that Mr. Morrison be excused from further attendance on the House, until Monday next.

And then the House adjourned till two o'clock, P. M.

2 O'CLOCK, P. M.

The House met pursuant to adjournment.

The engrossed bills entitled to wit:

An act for the relief of John Carraway, and

An act to authorize Thomas Ward, to sell the real estate of his son, Jeremiah Sanders Ward,

Were read the third time,

And passed with their titles as stated,

Ordered, that the clerk carry said bills to the Senate, and request their concurrence therein.

The House according to the order of the day, resolved itself into a committee of the whole House, on the bill to be entitled

An act, to provide for the erection of public buildings, and selling a portion of the public lots in the town of Jackson,

Mr. Keegan in the chair,

And after some time spent therein,

The speaker resumed the chair, and

Mr. Keegan reported, that the committee of the whole House had had said bill under consideration, but had come to no determination thereon,

And had instructed him to report progress,

And ask leave to sit again on Monday next.

Mr. Keegan moved that said report be received and agreed to.

Mr. Tucker called for a division of the question;

When it was taken on receiving said report,

And decided in the affirmative.

It was then taken on agreeing to said report,

And decided also in the affirmative.

A message from the Senate, by Mr. Dickson, their Secretary.

MR. SPEAKER:

The President of the Senate has signed the following acts and resolutions.

An act to make legitimate, Robert Coleman, and for other purposes.

An act for the relief of Mary Ann, a free woman of colour.

A resolution to confirm the decree of the Chancery Court, for the Eastern District of the State of Mississippi, made at the August term, 1832, dissolving the bonds of matrimony, between Jesse Williamson and Simeon Williamson.

A resolution to dissolve the bonds of matrimony, heretofore existing between Kencey Leyton and Sarah Leyton.

And a resolution to sanction and confirm the decree of the Chancery Court of this State, dissolving the bonds of matrimony, between R. L. Smith and Mary Smith.

And then he withdrew.

On motion of Mr. Howard,

The House proceeded to consider the joint resolutions submitted by him, and ordered to lie on the table, in relation to a memorial to the Congress of the United States, for a grant of land.

And thereupon,

Asked and obtained leave to withdraw the same,

And introduce the following resolution, which was adopted.

Resolved, that it is expedient to memorialize the Congress of the United States, to grant to the State of Mississippi, the lands belonging to the United States, below the Choctaw line on each side of Pearl river, and lying within seven miles thereof, and in this State, for the purpose of improving the navigation of said river.

On motion of Mr. Barnes,

The vote taken on said resolution was reconsidered.

Whereupon,

Mr. Howard asked and obtained leave to amend the same as follows: Strike out from the word "that" in the first line, to the word "the" in the second line, and insert the words "a select committee of three be appointed to inquire into the expediency of memorializing."

The question was then taken on the adoption of said resolution as amended,

And decided in the affirmative,

And in pursuance thereto, Messrs. Howard, Learned and Keegan were appointed.

Mr. Bole asked and obtained leave to introduce a bill to be entitled

An act, to incorporate Yazoo Academy, and for other purposes,

Which was read the first time.

Mr. Ragan asked and obtained leave to introduce a bill to be entitled

An act, to revise and continue the provisions of an act, entitled "an act, to authorize Zacchariah Lee, to erect and keep a toll bridge over Leaf river. Approved, December 15th, 1830."

Which was read the first time.

On motion of Mr. Tucker,

It was ordered that Mr. Howard be added to the committee, raised on so much of the Governor's Message as relates to the territory, belonging to the Choctaw tribe of Indians.

On motion of Mr. Keegan,

The House proceeded to the consideration of the reports made to this House by the Auditor of Public Accounts and State Treasurer.

Whereupon,

On motion of Mr. Keegan,

It was ordered that the same be referred to the committee on accounts.

And then the House adjourned.

Saturday, January 19, 1833.

The House met pursuant to adjournment.

Mr. Keegan, from the committee on the judiciary, to whom was referred the resolution directing an inquiry into the expediency of revising the laws of a general nature, now in force in this state,

Reported, that the committee had, according to order, had said resolution under consideration, and had instructed him to report a resolution to revise and consolidate the laws now in force in this state.

On motion of Mr. Keegan,

Ordered that said report be received.

Whereupon,

Said resolution was read the first time.

Mr. Keegan, from the committee on the judiciary, made the following report.

MR. SPEAKER:

The committee on the judiciary, to whom was referred a resolution requesting said committee to inquire and report what amendments, if any, are necessary to the laws now in force, regulating the appointment of assessors and collectors, have had the same under consideration, and believing it a subject of inquiry for the joint committee on the fifth article of the constitution, pray to be discharged from the farther consideration of said subject.

On motion of Mr. Dixon,

Ordered, that said report be received and agreed to.

Mr. Vannerson, from the judiciary committee to whom was referred the claim of W. W. Calmes, jailor of Adams county, for sustenance of John Johnson and William Steel, reported that the committee had, according to order, had said claim under consideration and had instructed him to report a bill to be entitled

An act to amend an act entitled "an act respecting the appointments and duties of sheriffs," passed June 15th, 1822.

On motion of Mr. Vannerson,

Ordered, that said report be received.

Whereupon,

Said bill was read the first time.

Mr. McDonald, from the select committee to whom was referred the petition of sundry citizens of Jackson county, praying that a law may be passed exempting certain property from taxation,

Reported, that the committee had according to order, had said petition under consideration, and had instructed him to report a bill to be entitled

An act to amend an act to amend the several acts relative to the public revenue, passed February 5th, 1829; and December 14th, 1830.

On motion of Mr. McDonald,

Ordered that said report be received.

Whereupon,

Said bill was read the first time.

Mr. Ellis, from the select committee to whom was referred the petition of William McGehee, praying the legislature to pass an act making valid his acts as treasurer of the county of Jones,

Reported, that the committee had, according to order, had said petition under consideration, and had instructed him to report a bill to be entitled

An act to make valid certain acts of William McGehee, as Treasurer of the county of Jones.

On motion of Mr. Ellis,

Ordered, that said report be received.

Whereupon,

Said bill was read the first time.

Mr. Vance, from the select committee to whom was committed the bill to be entitled

An act to authorize the building a toll bridge across the Yellow Busha, Reported, that the committee had, according to order, had said bill under consideration, had made an amendment thereto, and had instructed him to report the same as amended.

On motion of Mr. Vance,

Ordered, that said report be received.

Whereupon,

Said admendment was read and concurred in by the House.

On motion of Mr. Beil,

Ordered, that said bill be re-committed to a committee of the whole House and made the order of the day for Monday next.

By leave of the House, Mr. Demoss presented the petition of the officers and members of Western Star Lodge, No. 20; praying the legislature to pass an act incorporating them by the name and style of "The officers and members of Western Star Lodge, No. 20, State of Mississippi."

On motion of Mr. Demoss,

Ordered, that said petition be referred to a select committee of three members, with leave to report by bill or otherwise:

And in pursuance thereto,

Messrs. Demoss, Howard and Vannerson, were appointed.

Mr. Howard, from the joint committee, to whom was referred the first article of the revised constitution,

Reported, that the committee had, according to order, had the same under consideration, and had instructed him to report that no legislative enactment is necessary to carry said article into effect; and pray to be discharged from the farther consideration thereof.

On motion of Mr. Howard,

Ordered, that said report be received and agreed to.

Mr. Dunbar, from the joint committee on the 7th article of the constitution, made the following report:

MR. SPEAKER:

Your committee, to whom has been referred the matter contained in the 10th section of general provisions, which section enjoins that the legislature shall direct by law in what manner, and in what courts suits may be brought against the state, respectfully report:

That having duly considered so grave and delicate a subject matter, as that of citing a sovereign state before any tribunal, to respond to those claims of justice, based on municipal law and growing out of the social

compact, are incapable of drawing any moral distinction between obligations imposed by good faith and justice between a community and its citizens or others, and similar obligations that may exist between private individuals: to sum up in a word, the claims of justice being eternal and immutable, are equally obligatory on the sovereign state as on private individuals; nevertheless, it is due to a sovereign state to declare, that always willing to deal forth justice, yet it is inconsistent with sovereign dignity that the state should ever be dispossessed of its property by virtue of any judgment or execution whatever:

Wherefore, your committee, in consideration of the premises, report a bill to be entitled

"An act to designate in what manner, and in what courts, suits may be brought against the State of Mississippi."

On motion of Mr. Dunbar,

Ordered, that said report be received.

Whereupon,

Said bill was read the first time.

On motion of Mr. Dunbar,

Ordered, that the clerk have sixty copies of said bill printed for the use of the members of this House.

Mr. Richardson, from the joint committee on the 7th article of the constitution,

Reported, that the committee had, according to order, had the same under consideration, and had instructed him to report a bill to be entitled

"An act to provide for the reduction of salaries of public officers" in certain cases.

On motion of Mr. Richardson,

Ordered, that said report be received.

Whereupon,

Said bill was read the first time.

Mr. McDonald asked and obtained leave to introduce a bill to be entitled
An act to amend an act to permit the citizens of Jackson county to select a permanent seat of justice for said county, and for other purposes, approved December 15th, 1830.

Which was read the first time.

Mr. Powel asked and obtained leave to introduce a bill to be entitled

An act to authorize the board of the county police for Simpson county to levy a special tax and for other purposes.

Which was read the first time.

On motion of Mr. Dunbar,

Resolved, that the clerk of this House be and he is hereby required to procure a suitable press for the preservation of the papers and documents belonging, or appertaining to the House of Representatives.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill to be entitled

An act to authorize Samuel Carson, guardian, to remove the estate of

his wards to the state of Kentucky, and for other purposes, Mr. Vannorman in the chair,

And after some time spent therein,

The Speaker resumed the chair, and Mr. Vannorman reported

That the committee of the whole had, according to order, had said bill under consideration, had made an amendment thereto, and had instructed him to report the same as amended.

On motion of Mr. Vannorman,

Ordered, that said report be received.

Mr. Harper moved that said bill be indefinitely postponed,

And the question being taken thereon,

It was decided in the negative.

On motion of Mr. Vannerson,

Ordered, that said bill be recommitted to the select committee to whom it was last committed.

A message from the Senate, by Mr. Gilbert, their reading clerk.

MR. SPEAKER:

The Senate have given leave for the introduction of a bill to be entitled

An act to establish a State University, and a bill to be entitled

An act to authorize Micajah Pickett, jun. to sell certain slaves therein named.

And then he withdrew.

On motion of Mr. Shurtleff,

Resolved, that a select committee of three be appointed to take into consideration whether or not it is necessary to revise the militia system, and have leave to report by bill or otherwise.

On motion of Mr. Tucker,

The vote taken on said resolution was reconsidered.

The question then recurred on the re-adoption of said resolution.

Whereupon,

On motion of Mr. Bell,

It was ordered that the same do lie on the table.

By leave of the House, Mr. Stockton presented the petition of Gibson C. Hedrick, praying the legislature to pass an act dispensing with the time prescribed by law for his attaining the age of majority.

On motion of Mr. Stockton,

Ordered, that said petition be referred to a select committee of three members:

And in pursuance thereto,

Messrs. Stockton, Barnes and Dixon, were appointed.

And then the House adjourned till 2 o'clock, P. M.

2 O'CLOCK, P. M.

The House met pursuant to adjournment—

When Mr. Barnes, by leave of the House, presented the petition of sun-

dry citizens of Claiborne county, praying that the act requiring hands to work on the Big Black, may be repealed.

On motion of Mr. Barnes,

Ordered, that said petition be referred to a select committee of three members,

And in pursuance thereto,

Messrs. Barnes, Stockton and Dunbar, were appointed.

Mr. Stockton, from the select committee to whom was referred the petition of Gibson C. Hedrick, praying the legislature to pass an act extending to him the age of majority,

Reported, that the committee had, according to order, had said petition under consideration, and instructed him to report a bill to be entitled

An act to dispense with the time required by law for Gibson C. Hedrick attaining the age of majority.

On motion of Mr. Stockton,

Ordered that said report be received.

Whereupon,

Said bill was read the first time.

Mr. Bingaman, from the select committee, to whom was referred the petition of James Railey, acting representative of the estates of Mary H. Green and James Green, praying that an act may be passed, emancipating from the bonds of slavery a negro man named and called Grainger Butler Green, and a negro woman named Aggy alias Aggy Butler Green,

Reported, that the committee had, according to order, had said petition under consideration, and had instructed him to report a bill to be entitled

An act to emancipate certain slaves therein named.

On motion of Mr. Bingaman,

Ordered, that said report be received.

Whereupon,

Said bill was read the first time.

Mr. Stockton, from the joint committee on enrolled bills made the following report:

MR. SPEAKER:

The joint committee on enrolled bills have this day examined bills of the following titles, to wit:

An act to emancipate and set free two slaves belonging to the estate of the late David Holmes, deceased, former Governor of the state.

An act to dispense with the time required by law for George I. Griffin, of Hinds county, attaining the age of majority, and

An act to dispense with the time required by law for George W. Nevitt, of Adams county, attaining the age of majority.

And have found the same correctly enrolled.

The Speaker signed said bills.

Ordered, that the clerk carry them to the Senate for the signature of the President thereof.

Mr. Barnes, asked and obtained leave to introduce a bill to be entitled

An act to emancipate certain slaves therein named:

Which was read the first time.

A message from the Governor, by A. Albert Allen, Esq., his private Secretary.

EXECUTIVE OFFICE,
Jackson, January 18th, 1833. }

*Gentlemen of the Senate and
House of Representatives—*

I transmit to you a report of the Secretary of State, on the subject of vacancies, which have happened in the recess of the general assembly, and since the meeting of the same, of offices which have been filled by the Executive, and of vacancies which now exist.

A. M. SCOTT.

A list of appointments made by the Executive, during the recess of the Legislature, and in the year 1832, and of the vacancies that now exist:

Feb. 8th. Joseph Parmale was appointed an Associate Justice of the County Court of Madison county, vice John P. Thompson resigned.

March 1st. John B. Fouline appointed Judge of Probate for the county of Hancock, vice Noel Jourdon resigned.

March 7th. Arthur Fox appointed Major General of the First Division M. M., vice S. L. Winston dec'd.

March 9th. Archibald McCallam appointed an Associate Justice of Perry county, vice Uriah Millsaps resigned.

March 10th. W. A. Tucker appointed an Associate Justice of Monroe county, vice Matthew Sims resigned.

March 30th. Teomas Denman appointed an Associate Justice for Pike county, vice James Houston resigned.

March 30th. Joseph Templeton appointed an Associate Justice for the county of Warren, vice R. Smith resigned.

April 6th. Joseph M. Ford appointed Judge of Probate for Marion county, vice Wm. Spencer resigned.

April 6th. Edward D. Edwards appointed an Associate Justice for Yazoo county, vice Gabriel Harrison, dec'd.

May 4. C. P. Smith appointed a Judge of the Supreme Court, vice Harry Cage resigned.

May 19th. Oliver C. Brooks appointed an Associate Justice for Warren county, vice Wm Mills resigned.

May 30th. James Welch resigned the office of Associate Justice of Simpson county, and said office is now vacant.

June 19th. Sampson Pope appointed an Associate Justice for Marion county, vice Ebenezer Ford resigned.

July 20th. John Cocke appointed an Associate Justice for Washington county, vice Thomas Marcy removed.

July 20th. J. W. Bryan appointed an Associate Justice for Adams county, vice P. Hoggatt dec'd.

July 23. Joseph Johnson appointed Judge of Probate for Wilkinson county, vice Thomas H. Prosser resigned.

July 24. C. C. West appointed an Associate Justice for Wilkinson county, vice J. Johnston promoted.

July 24. Jacob Carr appointed Judge of Probate for Simpson county, vice J. B. Lowe resigned.

July 24th. John Campbell appointed an Associate Justice for Simpson county, vice John Welch resigned.

Aug. 27th. Christopher Adams appointed an Associate Justice for Lowndes county, vice James Sims resigned.

Sept. 22nd. Edward McGeehe, late an Associate Justice of Wilkinson county resigned, and no appointment has been made to fill the vacancy.

Sept. 25th. Burwell Scott appointed an Associate Justice for Yazoo county, vice Jesse S. Brown resigned.

Sept. 25th. John M. Sharp appointed an Associate Justice for Yazoo county, vice E. D. Edwards resigned.

Oct. 2nd. Covington Rawlings appointed Judge of Probate for Adams county, vice H. Townsend dec'd.

Oct. 8th. William B. Smith an Associate Justice of Franklin county resigned, and said office is now vacant.

Nov. 5th. James C. Wilkins was appointed a Senator in the Congress of the United States—he declining to accept, John Black was appointed to fill that station, vice P. Ellis resigned.

Nov. 23rd. Hugh Dixon appointed an Associate Justice of Yazoo county, vice Burwell Scott resigned.

Nov. 23rd. Gabriel Scott appointed an Associate Justice of Yazoo county, vice J. M. Sharp declined.

Dec. 5th. John A. Barnes, late an Associate Justice of Claiborne county, has resigned, and said office is now vacant.

Dec. 20th. Thomas Keller appointed Probate Judge for Covich county, vice D. H. Prosser resigned.

Dec. 25th. Eli Houston appointed a Judge of the Supreme Court, vice John Black, resigned.

Jan. 5th, 1833. Philip Dixon Judge of Probate for Jefferson county, resigned, and that office is now vacant.

Jan. 5th. William C. Demoss, an Associate Justice for Hinds county, resigned, and said office is now vacant.

Jan. 5th, 1833. Buckner Harris, late Adjutant General, resigned, and no appointment has been made.

Jan. 15th, 1833. John M. Maury resigned his office of Judge of the Criminal Court of Adams county—no appointment has been made.

The term of office of the Auditor of Public Accounts expired on the 6th, and that of State Treasurer on the 14th inst; and in pursuance of a resolution of the Legislature, passed on the 14th inst., the former incumbents have been appointed and commissioned.

The term for which the Hon. Powhattan Ellis was elected to the Senate of the United States, will expire on the 4th of March next.

Respectfully submitted,

JOHN A. GRIMBALL, *Secretary of State.*

On motion of Mr. McDonald,

Ordered, that the Message, together with the accompanying report from the Secretary of State, lie on the table,

The bill to be entitled,

An act to amend an act to authorise the raising, by way of lottery, a sum of money, for the purpose of opening and improving the navigation of Big Black—

Was read the second time.

On motion of Mr. Demoss,

Ordered, that said bill lie on the table.

The bill to be entitled

An act to incorporate the Mississippi Insurance Company, at Vicksburg—

Was read the second time.

On motion of Mr. Howard,

Ordered, that said bill be committed to a committee of the whole House, and made the order of the day for Monday next.

The bill to be entitled

An act to establish and organize the High Court of Errors and Appeals, and to define the powers and jurisdiction thereof—

Was read the second time.

On motion of Mr. Howard,

Ordered, that said bill be committed to a committee of the whole House, and made the order of the day for Thursday next.

The bill from the Senate to be entitled

An act to incorporate the Gallatin Female Academy—

Was read the second time.

On motion of Mr. Tucker,

Ordered that said bill be made the order of the day for a third reading on Tuesday next.

The bill to be entitled an act to incorporate Yazoo Academy, and for other purposes, was read the second time.

On motion of Mr. Bole,

Ordered that said bill be committed to a committee of the whole House and made the order of the day for Monday next.

The bill to be entitled an act to revive and continue the provisions of an act entitled "An act to authorize Zachariah Lee to erect and keep a toll bridge over Leaf river, approved December 15, 1830, was read the second time.

On motion of Mr. Ragan,

Ordered that said bill be engrossed and made the order of the day for a third reading on Monday next.

Mr Richardson, by leave of the House, presented the petition of the school commissioners of fractional township No. one, in range four, west of the basis meridian, praying the Legislature to pass an act incorporating the trustees of said school lands, under the name and style of "The Bran-

don Academy," with the privilege of raising a sum of money by lottery for the benefit of said Academy.

On motion of Mr. Richardson,

Ordered that said petition be referred to a select committee of three members with leave to report by bill or otherwise;

And in pursuance thereto,

Messrs. Richardson, Boyd, and Vannorman were appointed.

On motion of Mr. Harper,

Ordered that the member from Rankin be added to the committee to whom was recommitteed the resolution in relation to the public domain south and west of the old Choctaw line.

Mr. Ragan presented the petition of Thomas H. Hopkins, Esq., praying that an act may be passed extending to him such encouragement and assistance as may be necessary to indemnify him for expenses incurred in compiling the "Mississippi Justice," a book proposed to be published by him.

On motion of Mr. Ragan,

Ordered, that said petition be referred to a select committee of three members.

And in pursuance thereto,

Messrs. Ragan, McRae and Ellis were appointed.

Mr. Carter submitted the following resolution:

Resolved, That with the concurrence of the Senate, the two houses meet in the Representative Hall, on Wednesday next, at 11 o'clock, A. M., to go into the election of all the officers as reported vacant by the Governor.

Mr. Carter moved that the rule requiring joint resolutions to lie one day on the table be dispensed with, and that said resolution be read a second time forthwith, and adopted:

And the question being taken thereon,

It was decided in the negative.

And then the House adjourned.

Monday, January 21, 1833.

The House met pursuant to adjournment.

Mr. Boyd presented the petition of the officers and members of the Woodville Guards, praying the passage of an act, allowing them compensation for services rendered during a projected insurrection amongst the slaves in Wilkinson county.

On motion of Mr. Boyd,

Ordered, that said petition be referred to the committee on claims.

Mr. Beatie presented the petition of sundry citizens of township nine,

range one, east, in the county of Madison, praying that an act may be passed, authorizing the 3, 4, 9 and 10 sections of said township, denominated "Seminary Land," to be leased for the term of ninety-nine years.

On motion of Mr. Beatie,

Ordered, that said petition be referred to a select committee of three members;;

And in pursuance thereto,

Messrs. Beatie, Vance and Bole were appointed.

Mr. Barnes, from the select committee to whom was referred, the petition of sundry citizens, of the counties of Claiborne and Warren, praying that an act may be passed, repealing an act therein named, reported that the committee had according to order, had said petition under consideration, and instructed him to report a bill to be entitled An act to repeal an act entitled "An act to amend an act concerning Highways, Ferries and Bridges in Claiborne and Warren counties."

On motion of Barnes,

Ordered that said report be received.

Whereupon,

Said bill was read the first time.

Mr. Richardson, from the select committee to whom was referred the petition of the school commissioners of fractional township No. one, of range four, west of the basis meridian, praying an act of incorporation, reported that the committee had according to order had said petition under consideration, and had instructed him to report a bill to be entitled An act further to incorporate the school commissioners for fractional township No. one, range four, west of the basis meridian.

On motion of Mr. Richardson,

Ordered that said report be received.

Whereupon,

Said bill was read the first time.

Mr. Brewer, from the select committee to whom was referred the petition of Charles Favre, of Hancock county, praying the passage of an act emancipating from the bonds of slavery, a certain mulatto boy therein named, reported that the committee had according to order had said petition under consideration, and had instructed him to report a bill to be entitled an act to emancipate Charles Favre, a mulatto boy, resident in the county of Hancock.

On motion of Mr. Brewer,

Ordered that said report be received.

Whereupon,

Said bill was read the first time.

Mr. Boyd asked, and obtained leave to introduce a bill to be entitled An act to authorize, upon certain conditions, Frances, a free woman of color, to reside in this State.

Which was read the first time.

Mr. Brewer asked, and obtained leave to introduce a bill to be entitled

An act to authorize Henry Dillard to keep a toll bridge over the Habolachitto in the county of Hancock.

Which was read the first time.

On motion of Mr. Morrison,

The House proceeded to the consideration of the bill to be entitled An act to amend an act entitled "An act to authorize the raising by way of Lottery, a sum of money for the purpose of opening and improving the navigation of Big Black;" which,

On motion of Mr. Morrison,

Was ordered to be engrossed and made the order of the day for a third reading on to-morrow.

Mr. Harper asked, and obtained leave to introduce a bill to be entitled

An act, further to define the powers and jurisdiction of the board of county police,

Which was read the first time.

The engrossed bill to be entitled

An act to revive and continue the provisions of an act to authorize Zachariah Lee to erect and keep a toll bridge over Leaf River, approved December 15, 1830,

Was read the third time, and passed with its title as stated.

Ordered that the clerk acquaint the Senate therewith, and request their concurrence therein.

The bill to be entitled

An act to provide for the erection of public buildings, and selling a portion of the public lots in the town of Jackson, was in order for a committee of the whole House.

On motion of Mr. Bingaman,

Ordered that the committee of the whole be discharged from the order on said bill.

It was then ordered, on motion of Mr. Richardson, that said bill be re-committed to the select committee by whom it was reported.

On motion of Mr. Demoss,

It was ordered that Messrs. Keegan and Bingaman be added to said committee.

The House, according to the order of the day resolved itself into a committee of the whole on the bill to be entitled

An act to authorize the board of county police of the several counties in this State to lease the school lands within the limits of the same, and for other purposes; Mr. Bingaman in the chair,

And after some time spent therein,

The Speaker resumed the chair, and Mr. Bingaman report that the committee of the whole House had according to order, had said bill under consideration and had instructed him to report the same without amendment.

On motion of Mr. Bingaman,

Ordered, that said report be received.

On motion of Mr. Howard,

It was ordered that said bill be recommitted to the select committee by whom it was reported, and that Messrs. Tucker and Morrison be added to the said committee.

On motion of Mr. Tucker,

It was ordered that Mr. Barnes be also added to said committee.

A message from the Senate, by Mr. Gilbert, their reading clerk.

MR. SPEAKER:

The Senate have passed bills and a resolution from the House of Representatives of the following titles, to wit:

A bill to be entitled an act to repeal part of an act entitled "An act to amend an act, entitled an act to reduce into one the several acts concerning slaves, free negroes and mulattoes, passed June 18, 1822."

A bill to be entitled an act to designate a public road in the counties therein named, and

A resolution to dissolve the bonds of matrimony heretofore existing between John Blakely and Nancy Blakely.

The Senate have given leave to introduce a bill to be entitled an act to authorize Micajah Pickett, Jr. to sell certain slaves therein named.

And then he withdrew.

The following written message was then received from His Excellency the Governor, by Mr. A. Albert Allen, his private Secretary:

MR. SPEAKER:

I am requested by his Excellency the Governor to inform this House that he has on this day approved, and signed the following bills and resolutions, to wit:

A resolution to confirm the decree of the Chancery court for the Eastern District of the State of Mississippi, made at the August term 1832, dissolving the bonds of matrimony between Jesse Williamson and Simeon Williamson.

A resolution to dissolving the bonds of matrimony heretofore existing between Kinsey Layton and Sarah Layton.

A resolution to sanction and confirm the decree of the Chancery court of this State, dissolving the bonds of matrimony between R. L. Smith and Mary Smith.

A resolution to dissolve the bonds of matrimony heretofore existing between Franklin Love and Salena A. Love.

A resolution to dispense with the time prescribed by law for John H. Randolph of Wilkinson county, attaining the age of majority,

An act for the relief of Mary Ann, a free woman of color, and

An act to make legitimate Robert Coleman, and for other purposes.

All of which bills and resolutions originated in this House.

The House according to the order of the day resolved itself into a committee of the whole House on the bill to be entitled

An act to authorize the building a toll bridge across the Yellow Busha.

Mr. Dixon in the chair,

And after some time spent therein,

The Speaker resumed the chair, when Mr. Dixon reported that the committee of the whole House had according to order had said bill under consideration, and had instructed him to report the same without amendment.

On motion of Mr. Dixon,

Ordered, that the said report be received.

On motion of Mr. Vannefson,

Ordered that said bill be recommitted to the select committee by whom it was reported.

A message from the Senate, by Mr. Gilbert, their reading clerk.

MR. SPEAKER:

The President of the Senate has this day signed bills from this House of the following titles, to wit:

An act to emancipate and set free two slaves belonging to the estate of the late David Holmes, deceased."

An act to dispense with the time prescribed by law for George W. Nevitt, of Adams county, attaining the age of majority, and

An act to dispense with the time prescribed by law for George I. Griffin of Hinds county, attaining the age of majority; which are herewith submitted.

And then he withdrew.

The House according to the order of the day, resolved itself into a committee of the whole on the bill to be entitled

An act, to incorporate the Mississippi Insurance Company at Vicksburg,

Mr. Morrison in the chair,

And after some time spent therein,

The speaker resumed the chair, when

Mr. Morrison reported that the committee of the whole House had had said bill under consideration, had come to no determination thereon, and had instructed him to report progress and ask leave to sit again.

On motion of Mr. Morrison,

Ordered, that said report be received and agreed to.

On motion of Mr. Bingham,

Ordered, that said bill be made the order of the day for to-morrow.

And then the House adjourned till two o'clock, P. M.

2 O'CLOCK, P. M.

The House met pursuant to adjournment—

And according to the order of the day, resolved itself into a committee of the whole on the bill to be entitled

An act, to incorporate Yazoo Academy, and for other purposes,

Mr. Shurtleff in the chair,

And after some time spent therein,

The Speaker resumed the chair, when

Mr. Shurtleff reported that the committee of the whole had had said bill under consideration, and had instructed him to report the same without amendment.

On motion of Mr. Shurtleff,

Ordered, that said report be received and agreed to.

On motion of Mr. Dixon,

Ordered, that said bill be engrossed and made the order of the day for a third reading on to-morrow.

The resolution to revise and consolidate the laws now in force in this State,

Was read the second time.

Whereupon,

On motion of Mr. Dixon,

The House forthwith resolved itself into a committee of the whole on said resolution,

Mr. Dunbar in the chair,

And after some time spent therein,

The Speaker resumed the chair, when

Mr. Dunbar reported that the committee of the whole House had according to order had said resolution under consideration, but having come to no determination thereon, had instructed him to report progress and ask leave to sit again.

On motion of Mr. Dunbar,

Ordered, that said report be received.

On motion of Mr. Bell,

Ordered, that said bill lie on the table.

The bill to be entitled

An act, to amend an act entitled "An act, respecting the appointments and duties of Sheriffs," passed June 15th, 1822.

Was read the second time.

On motion of Mr. Dixon,

Ordered, that said bill be committed to a committee of the whole House, and made the order of the day for to-morrow.

The bill to be entitled

An act to amend an act, to amend the several acts relative to the public revenue, passed February 5th, 1829, and December 14th, 1830—

Was read the second time.

On motion of Mr. Brewer,

Ordered, that said bill lie on the table.

The bill to be entitled

An act, to make valid certain acts of William MacGehee as Treasurer of the county of Jones,

Was read the second time.

On motion of Mr. Tucker,

Ordered, that said bill be indefinitely postponed.

The bill to be entitled

An act, to designate in what manner, and in what courts suits may be brought against the State of Mississippi—

Was read the second time.

On motion of Mr. Tucker,

Ordered, that said bill be committed to a committee of the whole House, and made the order of the day for Wednesday next.

On motion of Mr. Shurtleff,

The vote taken on the bill to be entitled

An act, to make valid the acts of William MacGehee, as Treasurer of the county of Jones, was reconsidered.

Whereupon,

On motion of Mr. Demoss,

It was ordered, that the same do lie on the table.

The bill to be entitled

An act to provide for the reduction of salaries of public officers in certain cases,

Was read the second time.

On motion of Mr. Learned,

Ordered, that said bill be committed to a committee of the whole House, and made the order of the day for to-morrow.

The bill to be entitled

An act, to amend an act, to permit the citizens of Jackson county, to select a permanent Seat of Justice for said county, and for other purposes, approved, December 15th, 1830—

Was read the second time.

On motion of Mr. Keegan,

Ordered, that said bill be committed to a committee of the whole House, and made the order of the day for to-morrow.

The bill to be entitled

An act to authorize the board of county police of Simpson county, to levy a special tax, and for other purposes,

Was read the second time.

On motion of Mr. Harper,

Ordered, that said bill lie on the table.

The bill to be entitled

An act, to dispense with the time required by law for Gibson C. Hildrick, attaining the age of majority,

Was read the second time.

On motion of Mr. Boyd,

Ordered, that said bill lie on the table.

The bill to be entitled

An act, to emancipate certain slaves therein named—

Was read the second time.

Mr. Shurtleff moved that said bill be indefinitely postponed.

Mr. Harper moved that the same do lie on the table,

And the question being taken thereon,

It was decided in the negative.

The question was then taken on the motion made by Mr. Shurtleff for an indefinite postponement of said bill,

And decided in the negative.

Whereupon,

On motion of Mr. Bingaman,

Ordered, that said bill be engrossed and made the order of the day for a third reading on to-morrow.

On motion of Mr. Vannerson,

The House proceeded to the consideration of the bill to be entitled An act, to amend an act, entitled "An act, to reduce into one the several acts concerning slaves, free negroes and mulattoes," passed, June 18th, 1822;

And thereupon,

On motion of Mr. Vannerson,

Ordered, that said bill be engrossed, and made the order of the day for a third reading on to-morrow.

The bill to be entitled

An act, to emancipate certain slaves therein named,

Was read the second time.

On motion of Mr. Shurtleff,

Ordered, that said bill lie on the table.

On motion of Mr. Bingaman,

Ordered, that Mr. Barnes be excused from further attendance on the House until Monday next.

The resolution in relation to the election of the officers, to fill the vacancies reported by the Governor, was next in order.

Mr. Tucker moved that the same do lie on the table,

And the question being taken thereon,

It was decided in the negative.

The question then recurred on the adoption of said resolution.

And after a debate thereon,

It was moved by Mr. Howard, that said resolution lie on the table,

And the question being taken thereon,

It was decided in the affirmative.

And then the House adjourned.

Tuesday, January 22, 1833.

The House met pursuant to adjournment.

Mr. Vannerson presented the petition of sundry citizens of Adams county, praying the passage of

An act changing an election precinct in said county from the old Court House to George W. Kellogg's.

On motion of Mr. Vannerson,

Ordered, that said petition lie on the table.

Mr. Edwards, from the joint committee on enrolled bills, made the following report:

MR. SPEAKER:

The joint committee on enrolled bills have this day presented to his Excellency the Governor for his approbation and signature, bills of the following title, to wit:

An act to dispense with the time required by law for Geo. W. Nevitt of Adams county attaining the age of majority,

An act to emancipate and set free two slaves belonging to the estate of the late David Holmes, deceased, former Governor of this state.

An act to dispense with the time required by law for George I. Griffin, Hinds county, attaining the age of majority.

Mr. Demoss, from the select committee, to whom was referred the petition of the officers and members of the Western Star Lodge, No. 20, praying an act of incorporation,

Reported, that the committee had, according to order, had said petition under consideration, and had instructed him to report a bill to be entitled

An act to incorporate the officers and members of the Western Star Lodge, No. 20, duly authorized and established on Society Ridge, Hinds county, by a charter from the Grand Lodge of the State of Mississippi.

On motion of Mr. Demoss,

Ordered that said report be received.

Whereupon,

Said bill was read the first time.

The bill from the Senate to incorporate the Gallatin Female Academy, Was read the third time and passed with its title as stated.

Ordered, that the clerk acquaint the Senate therewith.

The engrossed bills entitled, to wit:

An act, to amend an act entitled an act to authorize the raising by way of lottery, a sum of money for the purpose of opening and improving the navigation of Big Black, and

An act to incorporate Yazoo Academy, and for other purposes,

Were read the third time,

And passed with their titles as stated.

Ordered that the clerk carry said bills to the Senate, and request their concurrence therein.

Mr. Howard moved a reconsideration of the vote taken on the bill to be entitled

An act to amend an act entitled an act to authorize the raising by way of lottery, a sum of money for the purpose of opening and improving the navigation of Big Black,

And the question being taken thereon,

It was decided in the negative.

The bill to be entitled

An act to emancipate certain slaves therein named;

Was read the third time.

Mr. Keegan moved to amend said bill by way of rider, as follows:

Add at the end of said bill the words to wit:

Sec. Be it further enacted, that a negro slave named Mary and her two children Betsey and Henry, the property of John Martin, be and the same are hereby liberated and set free from the bonds of slavery, on condition that Matthew B. Cannon, of Lawrence county, shall enter into bond in the sum of one thousand dollars, payable to the presiding officer of the board of county police, and his successors in office, that the said slaves will not leave the county of Lawrence for fifteen years, and after that time will leave the state—that they will not become a public charge; which bond shall be recorded in the clerk's office of the board of police of said county—the rights of creditors to be reserved.

Which was read the first time.

On motion of Mr. Keegan,

The rule was dispensed with, and said rider was read the second time

On motion of Mr. Keegan,

The rule was further dispensed with, said rider considered as engrossed, read a third time, and together with the bill put upon its passage.

The yeas and nays were then called for by three of the members present, when the clerk proceeded to call the names of the members,

And after some progress therein,

The House, on motion of Mr. Keegan, forthwith resolved itself into a committee of the whole on said bill and rider, Mr. Vick in the chair,

And after some time spent therein,

The Speaker resumed the chair,

When Mr. Vick reported that the committee of the whole House had, according to order, had said bill, together with the rider under consideration, had made an amendment thereto, and had instructed him to report the same as amended.

On motion of Mr. Vick,

Ordered that said report be received.

Mr. Bingham moved, that said report be agreed to, that the amendment be considered as engrossed, and together with the bill and rider, put upon its passage:

And the question being taken thereon,

It was decided in the affirmative.

Whereupon,

Said bill, with the amendments was put upon its passage and passed with its title as stated.

YEAS 21—NAYS—11.

The yeas and nays being called for by three of the members present.

Those who voted in the affirmative are—

Messrs. Allen, Beasley, Beatic, Bell, Bingham, Boyd, Demoss, Dunbar, Dixon, Keegan, Martin, McRae, McDonald, Morrison, Powel, Ragan, Richardson, Shelby, Stockton, Vick, Vannerson.—21.

Those who voted in the negative are—

Messrs. Speaker, Bole, Carter, Edwards, Ellis, Harper, Learned, Shurleff, Tucker, Vance, Vannorman.—11.

So the bill passed.

Ordered, that the clerk carry it to the Senate, and request their concurrence therein.

A message from the Senate, by Mr. Gilbert, their reading Clerk.

MR. SPEAKER:

The Senate have given leave to introduce bills of the following titles, to wit:

A bill to be entitled

An act to alter or change the Constitution of the State of Mississippi.

A bill to be entitled

An act to alter an election precinct in the county of Copiah, and a bill to be entitled An act, to make and open the highways within the State of Mississippi, to appropriate the labour of runaway slaves to the same, and for other purposes.

The Senate have passed a bill from the House of Representatives, to be entitled An act, to authorize Thomas Ward to sell the real estate of his son Jeremiah Sanders Ward, and a bill to be entitled

An act, for the relief of John Carraway.

The Governor did on yesterday, sign a bill to be entitled

An act, to emancipate a slave therein named,

And a resolution dissolving the bonds of matrimony, &c., which originated in the Senate.

And then he withdrew.

Mr. Stockton, from the committee on enrolled bills, made the following report:

MR. SPEAKER:

The joint committee on enrolled bills, have on yesterday examined a bill entitled

An act, to divide the county of Yazoo.

And on to day, bills of the following titles, to wit:

A resolution to dissolve the bonds of matrimony heretofore existing between John Blakely and Nancy Blakely.

An act to repeal part of an act entitled

An act, to amend an act entitled "An act, to reduce into one the several acts concerning slaves, free negroes and mulattoes, passed June 18, 1822."

An act to designate a public road in the counties therein named,

And have found the same correctly enrolled.

The Speaker signed said bills.

Ordered, that the clerk carry them to the Senate for the signature of the President thereof.

Mr. Morrison, according to notice given, asked and obtained leave to introduce a bill, to be entitled

An act to reduce into one the several acts relative to strays and drovers, horses, cattle and other stock, directing stock marks and brands to be recorded;

Which was read the first time.

On motion of Mr. Morrison;

Ordered, that said bill lie on the table.

The engrossed bill to be entitled

An act to amend an act entitled "An act to reduce into one the several acts concerning slaves, free negroes and mulattoes," passed June 18th, 1822,

Was read the third time.

On motion of Mr. Tucker;

Ordered, that said bill lie on the table.

The House, according to the order of the day, resolved itself into a committee of the whole, on the bill to be entitled

An act, to incorporate the Mississippi Insurance Company, at Vicksburg.

Mr. Tucker in the chair,

And after some time spent therein,

The Speaker resumed the chair, and

Mr. Tucker reported that the committee of the whole House had according to order, had said bill under consideration, had made some progress therein, and had instructed him to report progress, and ask leave to sit again.

On motion of Mr. Tucker,

Ordered, that said report be received.

On motion of Mr. Bell,

Ordered, that said bill be re-committed to the select committee by whom it was reported.

Mr. Howard presented the petition of David Ross, praying the Legislature to pass an act for the relief of his afflicted son, William Ross.

On motion of Mr. Howard,

Ordered, that said petition be referred to a select committee of three members, with leave to report by bill or otherwise:

And in pursuance thereto,

Messrs. Howard, Richardson and Bell were appointed.

And then the House adjourned till 2 o'clock, P. M.

2 O'CLOCK, P. M.

The House met pursuant to adjournment—

Mr. Keegan announced to the House, the death of Samuel Benson, Esq. a representative elect, from the county of Lawrence.

And thereupon,

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Submitted the following Resolution, which was unanimously adopted:
Resolved, that in consideration of the high regard we entertain for the memory of SAMUEL BENSON Esq. a representative elect, from the county of Lawrence; the members of this House wear the customary badge of mourning the balance of the session, as a testimony of respect for the deceased.

The House, according to the order of the day, resolved itself into a committee of the whole, on the bill to be entitled

An act, to amend an act entitled "An act, respecting the appointments and duties of Sheriffs, passed June 13th, 1822."

Mr. Demoss in the chair,

And after some time spent therein,

The Speaker resumed the chair, when

Mr. Demoss reported, that the committee of the whole House had had said bill under consideration, had made an amendment thereto, and had instructed him to report the same as amended.

On motion of Mr. Demoss,

Ordered, that said report be received and agreed to.

On motion of Mr. Bingaman,

Ordered, that said bill be engrossed, and made the order of the day for to-morrow.

Mr. Stockton, from the committee on enrolled bills, made the following report,

MR. SPEAKER:

The joint committee on enrolled bills, have this day examined a bill entitled

An act, to authorize Thomas Ward, to sell the real estate of his son Jeremiah Saunders Ward;

And an act for the relief of John Carraway.

And have found the same correctly enrolled.

The Speaker signed said bills.

Ordered, that the clerk carry them to the Senate, for the signature of the President thereof.

On motion of Mr. Bingaman,

The House proceeded in committee of the whole, to consider the bill to be entitled

An act, farther to amend an act entitled "An act, to establish a Planters Bank in the State of Mississippi, passed on the day of 1830, and for other purposes."

Mr. Keegan in the chair,

And after some time spent therein,

The Speaker resumed the chair, when

Mr. Keegan reported that the committee of the whole House had according to order, had said bill under consideration, had made some progress therein, and instructed him to report progress, and ask leave to sit again on to-morrow.

On motion of Mr. Keegan,

Ordered, that said report be received and agreed to.

Mr. Vannerson moved that the following resolution be adopted:

Whereas, the House is informed that Mr. Lindsey, the reading clerk of this House, has resigned his situation as such,—Therefore,

Resolved, that the House do proceed to the election of a reading clerk by ballot, to fill the vacancy, at the meeting of the House to-morrow morning,

And that Messrs. Vick and Dixon be appointed tellers.

And the question being taken thereon,

It was decided in the negative.

Mr. Morrison offered the following resolution:

Resolved, that a committee of three be appointed to examine the claims of the several candidates for the office of reading Clerk to this House, with instructions to report thereon to the clerk, the applicant best qualified for the office.

And then the House adjourned.

Wednesday, January 23, 1833.

The House met pursuant to adjournment.

Mr. Morrison presented the petition of sundry citizens of Hinds county, praying that an act may pass changing an election precinct from Samuel W. Punchard's, in said county, to Yeiser's store.

On motion of Mr. Morrison,

Ordered, that said petition be referred to a select committee of three members,

And in pursuance thereto,

Messrs. Morrison, Demoss and Allen, were appointed.

Mr. Demoss presented the petition of sundry citizens of the town of Raymond, praying that an act may pass, extending the limits of the corporation of said town.

On motion of Mr. Demoss,

Ordered, that said petition be referred to a select committee of three members,

And in pursuance thereto,

Messrs. Demoss, Morrison and McDonald, were appointed.

Mr. McRae presented the account of Asa Woodard, sheriff of Green county, for expences incurred in conveying John Johnson, a prisoner convicted of murder, from the jail of Green county, to the jail of Adams county.

On motion of Mr. McRae,

Ordered, that said account be referred to the committee on claims.

Mr. Morrison, from the select committee to whom was referred the resolution directing an inquiry into the expediency of altering and amending the second section of the seventh article of the constitution, under the head or title "slaves:"

Reported, that the committee had, according to order, had said resolution under consideration, and had instructed him to report a bill to be entitled

An act to alter and amend the second section of the seventh article of the constitution, under the head or title "slaves."

On motion of Mr. Morrison,

Ordered, that said report be received.

Whereupon,

Said bill was read the first time.

Mr. Boyd moved that the vote taken on receiving the report of the said committee be re-considered,

And the question being taken thereon,

It was decided in the negative.

Mr. Bell, from the committee on claims, made the following report:

MR. SPEAKER:

The committee on claims, to whom was referred the petitions of Jacob Duckworth, Lewis Dent, and Thomas Rogers, have, according to order, had the same under consideration, and have instructed me to report, that they are just and ought to be allowed.

On motion of Mr. Bell,

Ordered, that said report be received and agreed to, and that the several sums therein allowed, be transferred to the committee of accounts, with instructions to report the same in the general appropriation bill.

Mr. Bell, from the same committee, reported that the committee had examined the accounts of Davis H. Hoopes and John Carson, and rejected the same.

On motion of Mr. Bell,

Ordered, that said report be received and agreed to, and that said accounts lie on the table.

Mr. Vance, from the select committee to whom was re-committed the bill authorizing the building a toll bridge across the Yellow Busha,

Reported, that the committee had, according to order, had said bill under consideration, had made an amendment thereto, and had instructed him to report the same as amended.

On motion of Mr. Vance,

Ordered, that said report be received.

Whereupon,

Said amendment was read and concurred in by the House.

On motion of Mr. Tucker,

Ordered, that said bill be committed to a committee of the whole House, and made the order of the day for to-morrow.

Mr. Dixon asked and obtained leave to introduce a bill to be entitled

An act to amend an act entitled "an act for the relief of Alexander Willis," approved 8th Dec. 1831

Which was read the first time.

Mr. Boyd asked and obtained leave to introduce a bill to be entitled

An act to repeal an act entitled "an act to repeal so much of the act entitled an act to authorize the County Court of the several counties therein named, to make allowances to clerks of elections, approved February 8th, 1827, as relates to the counties of Wilkinson and Jefferson, and for other purposes,"

Which was read the first time.

Mr. Vannerson, from the select committee to whom was re committed the bill to be entitled

An act to authorize Samuel Carson, guardian, to remove the estate of his wards to the state of Kentucky, and for other purposes,

Reported, that the committee had, according to order, had said bill under consideration, had made an amendment thereto, and had instructed him to report the same as amended.

On motion of Mr. Vannerson,

Ordered, that said report be received.

Whereupon,

Said amendment was read and concurred in by the House.

On motion of Mr. Vannerson,

Ordered that said bill be committed to a committee of the whole House, and made the order of the day for to-morrow.

On motion of Mr. Boyd,

The House proceeded to consider the report of the select committee to which was referred "so much of the Governor's message as relates to the resolutions from the states of Louisiana, Maine and New-Hampshire, with the accompanying documents.

Whereupon,

Mr. Richardson, from the same committee, submitted the following report:—

MR. SPEAKER:

The minority of the select committee to which was referred "so much of the Governor's message as relates to the resolutions from the States of Louisiana, Maine and New-Hampshire, with the accompany documents," feeling themselves constrained to dissent from some of the principles set forth, and opinions expressed in the report and resolutions of the majority, beg leave to submit the following as a protest against the principles and opinions thus avowed, and as explanatory of the views which they entertain, in relation to some of the subjects which that report and those resolutions assume to discuss.

It will be perceived, upon examination, that two distinct sets of resolutions are appended to the report of the majority, the former of which refer specifically to the "resolutions of the Senate and House of Representatives of the State of Louisiana, in General Assembly convened, requesting

the President of the United States to order the U. S. Engineers to make all the necessary surveys and estimates for a rail road from New Orleans to Washington City." With regard to the resolutions offered by the majority in relation to this subject, we have only to declare that the sentiments therein expressed, meet our entire approbation and concurrence.

The latter class of resolutions which accompany the report, relate to the "resolutions from the States of Maine and New-Hampshire, and that portion of the Governor's Message which points to their consideration."—Respecting this branch of the labors which has engaged the attention of your committee, the majority, in their report, declare that they "would express the belief that the sentiments of a majority of the people of this State, in regard to the subjects to which they relate, are in accordance with those expressed by the General Assembly, in the year 1829, declaring the tariff law of 1828, so far as it contemplated a system of protection, carried beyond the manufacture of *such articles as are necessary to the national defence*, to be contrary to the spirit of the Constitution of the U. States, impolitic and oppressive in its operation upon the Southern States, and should be resisted by all constitutional means."

A reference to this resolution of the General Assembly of 1829, with regard to the tariff of the preceding year, will show that the majority are entirely mistaken in supposing any exception *whatever*, to have been made therein, in favor of that portion of the protecting policy which contemplates the domestic encouragement of such articles of manufacture, as contribute, either essentially or incidentally to the military defence of the country. No such reservation is there to be found; and the committee, in promulgating the impression that the resolution in question, whether affirmatively or negatively, concedes the constitutionality of such legislation by Congress as proposes direct protection to munitions of war, and the "articles necessary to national defence," are indebted to their own suggestions of what the friends of the protecting system would wish it to be, and not to what the actual purport of the resolution is. Whilst, therefore, we yield our unequivocal assent to the expression of opinion by the majority, as to the views at present entertained by the people of this State, in relation to the subject of the above named resolution, we would not be understood to affirm thereby, that either the people of Mississippi, at the time of its passage, did, as intimated, recognize the constitutional right of Congress to pass laws for the exclusive protection of the articles alluded to, or that we ourselves, are prepared to admit the exercise of such power. Our own convictions, and we believe, those of the great mass of the Mississippi people, are substantially these: That the power of the General Government to impose discriminating or prohibitory duties upon any article of foreign commerce or production, with a view to the encouragement of similar domestic articles, is no where to be found in the constitution of the U. States, and that it is of threatening and dangerous tendency to the reserved rights of the States, as well as to the tranquillity and integrity of the Union for Congress to attempt by implication or co

struction to deduce from that instrument, any power not authorized by an express, and indisputable grant: we look in vain to the charter of our Federal Union, for any delegation of power to the General Government, which can be fairly interpreted to authorize the adoption of any, even the most partial system of protection—and although in some points of view it might superficially seem to be advantageous to the national interest, to establish a limited policy designed for the defence and safety of the country in perilous times, yet when maturely considered, there are other views of sound policy by which they are opposed and counterbalanced, and which forcibly dictate, in our opinion, the wisdom on the part of the functionaries of the General Government, in abstaining altogether from the exercise of a power at least esteemed to be of a doubtful character. This course appears the most advisable, because it is obvious to all, that the legitimate protection which Congress could *incidentally* afford to articles of a military description, would produce all the effects of *positive* protection, and ensure to the country a sufficient and cheap supply.

This brief explanation of our sentiments has been offered, to remove any suspicion which might arise, that in responding to the declaration of the majority with regard to the principles cherished by our people, and still retained by them, we intended to signify our own approbation or theirs, of the constitutionality of the tariff which should secure exclusive encouragement to the military materials of the nation.

We would here gladly conclude the performance of the unpleasant duty which has been imposed on us, by the peculiar character and contents of the report and resolutions submitted by the majority;—but a silent acquiescence in some of the positions and principles therein assumed by them, and recommended to you, for your sanction and support, would subject us to imputations which we would, at *no time* be willing to incur, and which at this particular period we feel ourselves bound in the most solemn manner to protest against. Seizing with unwarranted avidity upon the very slight and almost imperceptible pretext, which the occasion was supposed to present, the majority of the committee have *smuggled* into their report and resolutions, (somewhat ungracefully it is true) an exposition wholly uncalled for, and we may be allowed to add, unlocked for, of their views in relation to the merits of the controversy, now pending between the Federal Government and one of the sovereign States of the confederacy, “affording the purest patriots and most talented Statesmen.” At the same time, that they deal out a gratuitous denunciation against the measures which this sovereign member of the Union has deemed it her duty to pursue, in order to obtain a redress of injuries solemnly alleged, by her, to have been perpetrated on her people by the maladministration and abuse of those powers, which she as one of the independent parties to the compact, agreed to confer upon the General Government—they likewise seek occasion to *volunteer* their “heartly accordance in the general political sentiments recently promulgated in the Proclamation of the President of the United States.” We can discover

no imperative necessity which exists at the present moment, calling upon the State of Mississippi, to interpose by the action of her Legislature, between the contending parties—and even although there were circumstances to justify and induce such interposition, at this juncture, most assuredly, the language of bitter denunciation, and of stern rebuke, when applied to the proceedings of a sister State, are but illy adopted to the end seemingly desired by the committee, viz: the harmonious accommodation of existing differences. After asserting their unqualified approbation of the “general political sentiments contained in the Proclamation of the President,” the majority cannot reasonably complain of “false inferences” from their report, when we venture to declare that the doctrine of State sovereignty, so long regarded with reverence and veneration by the Statesmen of the South, is virtually repudiated and condemned by them; whilst the antagonist doctrine of consolidation, and the absolute supremacy of the Federal Government over the rights and liberties of the States is countenanced and upheld.

The constitutional right of the authorities of the General Government to arrest, and punish as traitors the citizens of a sovereign State—acting in obedience to high and solemn dictates of her own municipal laws, and the right, by violence and military force, to coerce a sovereign member of the confederacy, and to prevent the exercise of her paramount right to secede from the Union, are unquestionably included in the unqualified approval given by the majority to “the general political sentiments” of the President, in his late Proclamation. To doctrines so monstrous and startling, the minority can never yield their assent. Every article of the political faith they have heretofore learned—every cannon of the political creed they have hitherto been taught, must be totally obliterated and effaced from their minds, before they can bestow their sanction upon principles, utterly subverse of the rights of the States as independent political communities—destructive of the integrity of the Union, and fatal to the liberties of the people. Against these principles we have waged an implacable war; when propounded and advocated by those who not only style themselves, but whom we justly style the “*national party*” in our country; and we cannot, —we will not espouse them now, although commended to our acceptance by all the weight of a *powerful name*, and all the influence of a popular and professedly Republican administration. In their sweeping and universal assumption of the principles of the proclamation, the committee have adopted and reaffirmed the anti-republican heretical doctrine, that the government created by the States, when they formed our free and glorious Union, is a national government, and not a confederated republic, composed of independent sovereign States: that the people of the several States in the formation of such a government, have actually transferred their primary allegiance from their own respective State Governments to that of the nation. Believing that these principles, if concurred in, and carried out in practice, would speedily convert our free and happy system of government into an undisguised and dangerous despotism, and level a

deadly blow at the independence of the States, and the liberties of the people, we avail ourselves of the opportunity which is hereby given to enter our most *solemn protest* against them. Wherefore, the minority would most respectfully submit for consideration the following resolutions:

1. Resolved, That it is inexpedient and unnecessary for the Legislature, at this time, to make an avowal of their determination to yield a hearty approval, either of the doctrines expressed in the Proclamation of the President of the United States, or of the course recently adopted by our sister State of South Carolina.

2. Resolved, That inasmuch as South Carolina has spent ten years in remonstrating against the American System, and petitioning for its repeal, we cannot consent to brand her with "reckless precipitancy," nor for one moment doubt the attachment of her citizens to the Union, or the purity of their motives, how much soever we may differ as to the policy of her late procedure.

3. Resolved, That a system of duties intended exclusively for protection, is calculated to "alienate one portion of our country from the rest, and to enfeeble the ties which link together its various parts, and ought, therefore, to be indignantly frowned upon" by all who revere the memory of the father of his country.

4. Resolved, That we concur in the political doctrines contained in the resolutions of the Legislature of Virginia and Kentucky, in the years '98 and '99, and in the principles of Mr. Madison's report at the same period, believing them to embrace a true and exact exposition of the principles of the Republican party.

F. R. RICHARDSON,
DAVID McRAE,

On motion of Mr. Vick,

Ordered, that said report be received.

Mr. Vick moved that said report lie on the table, and that five hundred copies thereof be printed.

Mr. Dunbar called for a division of the question—

When it was taken, first on laying said report on the table,

And decided in the affirmative.

It was then taken on printing five hundred copies thereof,

And decided in the negative.

Mr. Howard moved that three hundred copies of said report be printed.

And the question being taken thereon,

It was decided in the affirmative.

A message was then received from the Senate, by Mr. Gilbert, their reading Clerk:

MR. SPEAKER:

The President of the Senate did, on yesterday, sign bills which originated in the House of Representatives, of the titles following, to wit:

An act to authorize Thomas Ward, to sell the real estate of his son, Jeremiah Saunders Ward;

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An act for the relief of John Carraway.

An act to repeal part of an act entitled "An act, to amend an act entitled an act, to reduce into one the several acts concerning slaves, free negroes and mulattoes, passed June 18th, 1822."

An act to designate a public road in the counties therein named.

The President of the Senate has also signed a resolution from this House, to dissolve the bonds of matrimony, heretofore existing between John Blakeley and Nancy Blakeley; which bills and resolution are herewith submitted—

The President of the Senate has also signed a bill to be entitled

An act, to divide the county of Yazoo; which bill originated in that body.

The Senate have given leave for the introduction of a bill to be entitled

An act, for the relief of the heirs of Samuel C. Wooldridge.

And then he withdrew.

Mr. Vick moved that the report of the select committee, to which was referred, so much of the Governor's message as relates to the resolutions from the States of Louisiana, Maine and New Hampshire, with the accompanying documents, lie on the table,

And the question being taken thereon,

It was decided in the negative.

It was then moved by Mr. Tucker, that the House forthwith resolve itself into a committee of the whole on said report.

Whereupon,

The following message was received from His Excellency the Governor, by Mr. A. Albert Allen, his private Secretary; which was read and ordered to lie on the table:

MR. SPEAKER:

I am requested by His Excellency the Governor, to deliver to this House a communication in writing, and also to inform them, that he has this day, approved and signed the following bills, to wit:

An act to dispense with the time required by law for George W. Nevitt of Adams county, attaining the age of majority.

An act to emancipate and set free two slaves, belonging to the estate of the late David Holmes, deceased, former Governor of this State, and

An act to dispense with the time required by law for George I. Griffin of Hinds county, attaining the age of majority;

All of which bills originated in this House.

EXECUTIVE CHAMBER, January 23, 1833.

Gentlemen of the Senate and

House of Representatives:

I herewith transmit to you a report from the Cashier of the Bank of the State of Mississippi, made in compliance with the act passed on the 19th December, 1831.

I have also the honor of transmitting copies of sundry resolutions, adopted by the Legislature of the State of Pennsylvania, in regard to the

Union of the States, and of the constitution of the United States; which are respectfully submitted for your consideration.

A. M. SCOTT.

The question was then taken on the motion made by Mr. Tucker, that the House forthwith resolve itself into a committee of the whole, on the report of the select committee to which was referred so much of the Governor's message, as relates to the resolutions from the States of Louisiana, Maine and New Hampshire, with the accompanying documents,

And decided in the affirmative.

Whereupon,

The House went into committee of the whole on said report,

Mr. Dunbar in the chair,

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Dunbar reported, that the committee of the whole House had, according to order, had the report of the select committee to which was referred so much of the Governor's message, as relates to the resolutions from the states of Louisiana, Maine and New Hampshire, with the accompanying documents, under consideration, had made sundry amendments thereto, and had instructed him to report the same as amended.

On motion of Mr. Dunbar,

Ordered, that said report be received; and,

On motion of Mr. Bingaman,

It was ordered that the same be agreed to.

Mr. Howard moved that said report lie on the table,

And the question being taken thereon,

It was decided in the negative.

Whereupon,

On motion of Mr. Keegan,

Ordered, that said report be engrossed, and made the order of the day for a third reading on to-morrow.

The engrossed bill to be entitled

An act, to amend an act entitled "An act, respecting the appointment and duties of Sheriffs, passed June 15th, 1822;"

Was read the third time, and passed with its title as stated.

Ordered, that the clerk carry said bill to the Senate, and request their concurrence therein.

The House according to the order of the day, resolved itself into a committee of the whole on the bill to be entitled

An act, to provide for the reduction of salaries of public officers in certain cases—

Mr. Richardson in the chair,

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Richardson reported, that the committee of the whole House had, according to order, had said bill under consideration, and had instructed him to report the same without amendment.

On motion of Mr. Richardson,
Ordered, that said report be received.

On motion of Mr. Keegan,
Ordered, that said bill lie on the table.

And then the House adjourned till 2 o'clock, P. M

2 O'CLOCK, P. M.

The House met pursuant to adjournment.

Mr. Beatie asked and obtained leave to introduce a bill to be entitled
An act, to provide for the locating a permanent Seat of Justice for
Madison county;

Which was read the first time.

Mr. Howard asked and obtained leave to introduce a bill to be entitled
An act, to repeal the fortieth chapter of the laws of the State of Mis-
sissippi, passed December 19th, 1831;

Which was read the first time.

Mr. Boyd asked and obtained leave to introduce a bill to be entitled
An act concerning the powers and jurisdiction of the Circuit Courts of
law in this State;

Which was read the first time.

The House, according to the order of the day, resolved itself into a
committee of the whole, on the bill to be entitled

An act to amend "an act to permit the citizens of Jackson county, to
select a permanent Seat of Justice for said county, and for other purpos-
es, approved December 15th, 1830"—

Mr. Powel in the chair,

And after some time spent therein,

The Speaker resumed the chair; when,

Mr. Powel reported, that the committee of the whole House had accor-
ding to order, had said bill under consideration, and had instructed him
to report the same without amendment.

On motion of Mr. Powel,

Ordered, that said report be received and agreed to.

On motion of Mr. McDonald,

Ordered, that said bill be engrossed and made the order of the day for
a third reading on to-morrow.

On motion of Mr. McDonald,

The House proceeded to consider the bill to be entitled

An act to amend "an act, to amend the several acts relative to the pub-
lic revenue, passed February 5th, 1829, and December 14th, 1830."

Whereupon,

It was moved by Mr. Learned, that said bill be indefinitely postponed.

Mr. Demoss moved that the same do lie on the table.

And the question being taken thereon,

It was decided in the negative.

The question was then taken, on the motion made by Mr. Learned, for an indefinite postponement of said bill,

And decided the affirmative.

The House, according to the order of the day, resolved itself into a committee of the whole, on the bill to be entitled

An act to designate in what manner, and in what courts, suits may be brought against the State of Mississippi—

Mr. Brewer in the chair,

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Brewer reported, that the committee of the whole House had had said bill under consideration, and had instructed him to report the same without amendment.

On motion of Mr. Brewer,

Ordered, that said report be received and agreed to.

On motion of Mr. Dunbar,

Ordered, that said bill be committed to the committee on the judiciary.

The bill to be entitled

An act, further to amend an act, entitled "An act, to establish a Planters Bank in the State of Mississippi, passed on the day of 1830, and for other purposes," was in order for a committee of the whole House.

On motion of Mr. Bell,

Ordered, that the order on said bill be postponed until to-morrow.

The bill to be entitled

An act, to repeal an act, entitled "An act to amend an act, concerning highways, ferries and bridges in Claiborne and Warren counties"—

Was read the second time.

On motion of Mr. Vick,

Ordered, that said bill lie on the table.

The bill to be entitled

An act, further to incorporate the school commissioners for fractional township, No. 1, range four, West of the basis meridian—

Was read the second time.

On motion of Mr. Richardson,

Ordered, that said bill be engrossed and made the order of the day for a third-reading on to-morrow.

The bill to be entitled

An act, to emancipate Charles Favre, a mulatto boy, resident in the county of Hancock—

Was read the second time.

Whereupon,

On motion of Mr. Boyd,

The House forthwith resolved itself into a committee of the whole on said bill—

Mr. Bole in the chair,

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Bole reported, that the committee of the whole House had had said bill under consideration, and had instructed him to report the same without amendment.

On motion of Mr. Bole,

Ordered, that said report be received and agreed to.

Mr. Tucker moved that said bill be indefinitely postponed.

And the question being taken thereon,

It was decided in the negative.

On motion of Mr. Learned,

Ordered, that said bill be engrossed and made the order of the day for to-morrow.

The bill to be entitled

An act to authorize, upon certain cases, Frances, a free woman of colour, to reside within this State,—

Was read the second time.

On motion of Mr. Boyd,

Ordered, that said bill be engrossed, and made the order of the day for a third reading to-morrow.

The bill to be entitled

An act to authorize Henry Dillard to keep a toll bridge over the Habo-lachitto, in the county of Hancock,

Was read the second time.

On motion of Mr. Brewer,

Ordered, that said bill be committed to a committee of the whole House, and made the order of the day for to-morrow.

The bill to be entitled

An act further to define the powers and jurisdiction of the board of county police,

Was read the second time.

Whereupon,

On motion of Mr. Harper,

The House forthwith resolved itself into a committee of the whole on said bill, Mr. Beasley in the chair,

And after some time spent therein,

The Speaker resumed the chair, when

Mr. Beasley reported, that the committee of the whole House had had said bill under consideration, had made an amendment thereto, and had instructed him to report the same as amended.

On motion of Mr. Beasley,

Ordered, that said report be received and agreed to.

On motion of Mr. Keegan,

Ordered, that said bill lie on the table.

On motion of Mr. Howard,

The House proceeded again to consider said bill,

And thereupon,

Mr. Howard moved that the same be committed to the committee on the 4th article of the constitution.

Mr. Tucker moved that the House adjourn.

And the question being taken thereon,

It was decided in the negative.

The question was then taken on Mr. Howard's motion to commit said bill to the committee on the 4th article of the constitution,

And decided in the affirmative.

Mr. Beasley gave notice that he will, on to-morrow, ask leave to introduce a bill to be entitled

An act to unite the offices of assessor and collector of taxes for the county of Copiah.

And then the House adjourned.

Thursday, January 24, 1833.

The House met pursuant to adjournment.

Mr. Keegan presented the petition of James Butler, H. B. Whetworth and J. Burney, praying that an act may be passed absolving them, as securities for Richard W. Whetworth, from their recognizance.

On motion of Mr. Keegan,

Ordered, that said petition be referred to the committee on claims.

Mr. Demoss presented the petition of William Hawes, praying that an act may be passed, authorizing him to dispose of certain real estate, belonging to his infant son, Thomas W. Haws.

On motion of Mr. Demoss,

Ordered, that said petition be referred to a select committee of three members.

And in pursuance thereto,

Messrs. Demoss, Morrison and Vannerson were appointed.

Mr. Demoss presented the petition of sundry citizens of Hinds county, praying that an act may be passed, changing an election precinct held in said county, from Samuel W. Punchard's to Solomon Nichols'.

On motion of Mr. Morrison,

Ordered, that said petition be referred to the committee raised on a similar subject.

Mr. Edwards, from the committee on elections, made the following report:

"MR. SPEAKER:

The committee on elections, to whom were referred the credentials of the members of this House, have had the same under their consideration, and found the following duly elected:

From the county of Adams—Adam L. Bingham, William Vannerson.
Amite—David Pemble, William Vannorman.
Claiborne—John A. Barnes, Benjamin F. Stockton.
Copiah—Barnabas Allen, John Beasley.
Covington—Elam S. Ragan.
Franklin—Orin Shurtleff.
Green—David McRae.
Hinds—Wm. C. Demoss, Alexander Morrison.
Jones—Samuel Ellis.
Jackson—John McDonald.
Jefferson—Philip Dickson, Joseph Dunbar.
Hancock—Burwell B. Brewer.
Lawrence—Aloysius M. Keegan.
Marion—Charles D. Learned.
Lowndes—Tilghman M. Tucker.
Madison—Andrew E. Batie.
Monroe—John Bell.
Perry—Abner Carter.
Simpson—James Powel.
Pike—Jesse Harper, William G. Martin.
Rankin—Nathan G. Howard.
Warren—William Vick.
Wilkinson—Gordon G. Boyd, Francis R. Richardson.
Washington—Robert P. Shelby.
Yazoo—David Vance, James C. Bole.
Wayne—John A. Edwards.

On motion of Mr. Edwards,

Ordered that said report be received.

On motion of Mr. Keegan,

The vote taken on the reference of the petition of James Butler, H. B. Whetworth and J. Burney, was re-considered.

And thereupon,

It was ordered, on motion of Mr. Keegan, that said petition be referred to the committee on Propositions and Grievances.

Mr. Morrison presented the petition of James S. Montgomery, Administrator, *de bonis non*, of Charles Anderson, jr., deceased, praying that an act may be passed, authorizing said executor to sell certain real estate, the property of said deceased.

On motion of Mr. Morrison,

Ordered, that said petition be referred to a select committee of three members, with leave to report by bill or otherwise.

And in pursuance thereto,

Messrs Morrison, Demoss and Vannerson were appointed.

Mr. John A. Barnes, a member from the county of Claiborne, appeared and took his seat in the Hall.

Mr. Harper, from the select committee to whom was committed the re-

solution in relation to the public domain south and west of the old Choctaw line, in the State of Mississippi—

Reported, that the committee had, according to order, had said resolution under consideration, had made an amendment thereto, and had instructed him to report the same as amended.

On motion of Mr. Harper,

Ordered that said report be received.

Whereupon,

Said amendment was read and concurred in by the House.

On motion of Mr. Harper,

Ordered, that said resolution be engrossed, and made the order of the day for to-morrow.

Mr. Morrison, from the select committee to whom was referred the petition of James S. Montgomery, Administrator, *de bonis non*, of Charles Anderson, jr., deceased, praying that an act may be passed, authorizing said Administrator to sell certain real estate, the property of said deceased,

Reported, that the committee had, according to order, had said petition under consideration, and had instructed him to report a bill to be entitled

An act to authorize James S. Montgomery, Administrator of Charles Anderson, jr., deceased, to sell real estate, as therein mentioned.

On motion of Mr. Morrison,

Ordered, that said report be received.

Whereupon,

Said bill was read the first time.

Mr. Tucker moved that said bill be rejected.

And the question being taken thereon,

It was decided in the affirmative.

On motion of Mr. Powel,

The House proceeded, in committee of the whole, to consider the bill to be entitled

An act to authorize the board of county police of Simpson county, to levy a special tax, and for other purposes; Mr. Martin in the chair,

And after some time spent therein,

The Speaker resumed the chair, when

Mr. Martin reported,

That the committee of the whole House had, according to order, had said bill under consideration, had made an amendment thereto, and had instructed him to report the same as amended.

On motion of Mr. Martin,

Ordered, that said report be received; and

On motion of Mr. Vannorman,

The same was agreed to.

On motion of Mr. Powel,

Ordered, that said bill be engrossed, and made the order of the day for a third reading on to-morrow.

On motion of Mr. Stockton,

The House proceeded to consider the bill to be entitled

An act to dispense with the time required by law for Gibson C. Hedrick, attaining the age of majority.

Whereupon,

On motion of Mr. Stockton,

Ordered, that said bill be engrossed and made the order of the day for a third reading on to-morrow.

Mr. Howard asked and obtained leave to introduce a bill to be entitled

An act to incorporate Pearl river Academy, in the county of Madison,

Which was read the first time.

The engrossed bills entitled, to wit:

An act to amend "an act to permit the citizens of Jackson county to select a permanent seat of justice for said county, and for other purposes, approved December 15th, 1830," and

An act further to incorporate the school commissioners for fractional township No. 1, range four, west, of the basis meridian,

Were read the third time, and passed with their titles as stated.

Ordered, that the clerk carry said bills to the Senate, and request their concurrence therein.

The engrossed bill to be entitled

An act to emancipate Charles Favre, a mulatto boy, resident in the county of Hancock,

Was read the third time.

Whereupon,

On motion of Mr. Boyd,

The House forthwith resolved itself into a committee of whole on said bill, Mr. Vannerson in the chair,

And after some time spent therein,

The Speaker resumed the chair, when

Mr. Vannerson reported, that the committee of the whole House had, according to order, had said bill under consideration, had made an amendment thereto, and had instructed him to report the same as amended.

On motion of Mr. Vannerson,

Ordered, that said report be received and agreed to.

Mr. Vannerson moved that said bill be considered as re-engrossed, and together with the amendment, put upon its passage;

And the question being taken thereon,

It was decided in the affirmative.

It was then moved, by Mr. Shurtleff, that there be a call of the House;

And the question being taken thereon,

It was decided in the affirmative.

The roll of the members was then called by the clerk, when it was found that the following named members answered to their names:

Messrs. Allen, Barnes, Beasley, Beatie, Bell, Bingham, Bole, Boyd, Brewer, Carter, Dunbar, Dixon, Edwards, Ellis, Harper, Keegan, Learned, Martin, McRae, McDonald, Morrison, Powel, Ragan, Richardson, Shurtleff, Stockton, Tucker, Vance, Vick, Vannerson, Vannorman.

Mr. Vannorman moved that the absent members be sent for;

And the question being taken thereon,

It was decided in the negative.

Said bill was then put upon its passage, and passed with its title as stated,

YEAS 19—NAYS—14.

The yeas and nays being called for by three of the members present:

Those who voted in the affirmative are—

Messrs. Allen, Beasley, Beatie, Bingaman, Boyd, Brewer, Carter, Dunbar, Dixon, Harper, Keegan, Learned, Martin, McRae, McDonald, Morrison, Ragan, Richardson, Vannerson—19.

Those who voted in the negative are—

Messrs. Speaker, Barnes, Bell, Bole, Edwards, Ellis, Howard, Powel, Shurtleff, Stockton, Tucker, Vance, Vick, Vannorman—14.

Ordered, that the clerk carry said bill to the Senate, and request their concurrence therein.

The engrossed bill to be entitled

An act to authorize, upon certain conditions, Frances, a free woman of color, to reside within this state,

Was read the third time.

On motion of Mr. Boyd,

Ordered, that said bill lie on the table.

Mr. Morrison asked and obtained leave to present the petition of William S. Byrd, of the county of Hinds, praying the passage of an act emancipating from the bonds of slavery a female slave, named Tenor.

On motion of Mr. Morrison,

Ordered, that said petition be referred to a select committee, with leave to report by bill or otherwise;

And in pursuance thereto,

Messrs. Morrison, Demoss and Beatie were appointed.

The report of the select committee on the resolutions from the states of Louisiana, Maine and New Hampshire,

Was read the third time.

Mr. Stockton moved, that the House forthwith resolve itself into a committee of the whole on said report,

And the question being taken thereon,

It was decided in the negative.

The question was then taken on the adoption of said report,

And decided in the affirmative.

YEAS 30—NAYS 3.

The yeas and nays being called for by three of the members present,

Those who voted in the affirmative are—

Messrs. Allen, Barnes, Beasley, Beatie, Bell, Bingaman, Bole, Boyd, Brewer, Carter, Demoss, Dunbar, Dixon, Edwards, Ellis, Harper, Keegan, Learned, Martin, McDonald, Morrison, Powel, Ragan, Shurtleff, Stockton, Tucker, Vance, Vannerson, Vannorman, Vick—30.

Those who voted in the negative are—

Messrs. Speaker, McRae, Richardson—3.

So the report of the select committee was adopted.

Ordered, that the clerk carry the same to the Senate, and request their concurrence therein.

The House, according to the order of the day resolved itself into a committee of the whole on the bill to be entitled

An act to establish and organize the High Court of Errors and Appeals, and to define the powers and jurisdiction thereof; Mr. Dixon in the chair;

And after some time spent therein,

The Speaker resumed the chair, and

Mr. Dixon reported, that the committee of the whole House had, according to order, had said bill under consideration, had made some progress therein, and had instructed him to report progress and ask leave to sit again, at half past two o'clock, P. M. on this day.

On motion of Mr. Dixon,

Ordered, that said report be received.

A message from the Senate, by Mr. Gilbert, their reading Clerk.

MR. SPEAKER:

The Senate have passed bills of the following titles, to wit:

A bill to be entitled

An act, to organize and establish Circuit Courts, and to define their powers and jurisdiction in law and equity.

A bill to be entitled

An act, to authorize Micajah Pickett, jr., to sell certain slaves therein named; and

A bill to change an election district, in the county of Copiah.

In which they desire the concurrence of the House of Representatives.

They have passed bills from the House of Representatives of the following titles, viz:

A bill to be entitled

An act, to revive and continue the provisions of an act entitled "An act to authorize Zachariah Lee to erect and keep a toll bridge over Leaf River, approved 15th December, 1830."

A bill to be entitled

An act, to establish a permanent Seat of Justice in the county of Hancock; and

A bill to be entitled

An act to incorporate Yazoo Academy, and for other purposes—

Which are all herewith submitted.

And then he withdrew.

The following message was then received from His Excellency the Governor, by Mr. A. Albert Allen, his private Secretary:

MR. SPEAKER:

I am requested by His Excellency the Governor, to inform this House that he has this day approved and signed the following bills and resolutions, to wit:

A resolution to dissolve the bonds of matrimony heretofore existing between John Blakely and Nancy Blakely.

An act to authorize Thomas Ward to sell the real estate of his son, Jeremiah Saunders Ward.

An act to repeal part of an act, entitled an act, to amend an act entitled, "An act, to reduce into one the several acts concerning slaves, free negroes and mulattoes, passed 18th June, 1832."

An act to designate a public road in the counties therein named—

An act for the relief of John Carraway—

All of which originated in the House.

And then he withdrew.

Whereupon,

The House adjourned till half past 2 o'clock, P. M.

HALF PAST 2 O'CLOCK, P. M.

The House met pursuant to adjournment—

And resumed in committee of the whole, the consideration of the bill to be entitled

An act, to establish and organize the High Court of Errors and Appeals, and to define the powers and jurisdiction thereof—

Mr. Dixon again in the chair,

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Dixon reported, that the committee of the whole had again had said bill under consideration, had made sundry amendments thereto, and had instructed him to report the same as amended.

On motion of Mr. Dixon,

Ordered, that said report be received.

The first of said amendments, proposing to fill the blank in the first section of said bill, with the words "two thousand" being read; it was moved by Mr. Dunbar, that the same be amended by adding after the word "thousand," the words "five hundred."

And the question being taken thereon,

It was decided in the negative.

YEAS 15—NAYS 18.

The yeas and nays being called for by three of the members present.

Those who voted in the affirmative are—

Messrs. Barnes, Beatie, Bingaman, Boyd, Demoss, Dunbar, Dixon, Howard, Learned, Morrison, Shelby, Stockton, Tucker, Vick, Vannerson—15.

Those who voted in the negative are—

Messrs. Speaker, Allen, Bell, Bole, Brewer, Carter, Edwards, Ellis, Harper, Keegan, Martin, McDonald, Powel, Ragan, Richardson, Shurtleff, Vance, Vannorman—18.

The question was then taken on the adoption of the said first amendment,

And decided in the affirmative.

The second of said amendments, proposing to fill the first blank of the third section of said bill with the word "Jackson," was then read and concurred in by the House.

YEAS 20.—NAYS 13.

The yeas and nays being called for by three of the members present—

Those who voted in the affirmative are—

Messrs. Allen, Beatie, Bell, Bole, Brewer, Carter, Demoss, Edwards, Ellis, Harper, Howard, Keegan, Learned, Martin, Morrison, Powel, Ragan, Tucker, Vance, Vannorman—20.

Those who voted in the negative are—

Messrs. Speaker, Barnes, Bingaman, Boyd, Dunbar, Dixon, McDonald, Richardson, Shelby, Shurtleff, Stockton, Vick, Vannerson—13.

It was then ordered, on motion of Mr. Keegan, that the House concur in the balance of said amendments.

Whereupon,

On motion of Mr. Morrison,

Ordered, that the said bill be engrossed and made the order of the day for a third reading on to-morrow.

Mr. Stockton, from the joint committee on enrolled bills, made the following report:

MR. SPEAKER:

The joint committee on enrolled bills have this day examined bills of the following titles, to wit:

An act to establish a permanent Seat of Justice in the county of Hancock.

An act to incorporate Yazoo Academy, and for other purposes.

An act, to revive and continue the provisions of an act, entitled an act to authorize Zacharia Lee, to erect and keep a toll bridge over Leaf River, approved December 15, 1830;”

And have found the same correctly enrolled.

The Speaker signed said bills—

Ordered, that the clerk carry them to the Senate for the signature of the President thereof.

On motion of Mr. Boyd,

It was ordered that Mr. Beasley be excused from further attendance on the House until Monday next.

Mr. Vannorman, by leave of the House, presented the petition of David Kinnebrew and others, members of the Baptist Church in the county of Amite, praying that an act may be passed, incorporating the trustees and members of the Ebenezer Baptist Church in said county.

On motion of Mr. Vannorman,

Ordered, that said petition be referred to a select committee of three members, with leave to report by bill or otherwise.

And in pursuance thereto,

Messrs. Vannorman, Boyd and Shurtleff were appointed.

Mr. Dixon gave notice that he will, on to-morrow, ask leave to introduce a bill, to be entitled

An act to emancipate certain slaves to be therein mentioned.

Mr. Vick gave notice that he will, on to-morrow, ask leave to introduce a bill to be entitled

An act to incorporate the Vicksburg and Jackson Turnpike road company.

Mr. Boyd asked and obtained leave to introduce a bill to be entitled

An act to abolish certain punishments—

Which was read the first time.

Mr. Demoss gave notice that he will, on to-morrow, ask leave to introduce a bill to be entitled

An act to emancipate certain slaves therein named.

And then the House adjourned.

Friday, January 25, 1833.

The House met pursuant to adjournment—

Mr. Barnes presented the account of Dr. James S. Conoway, for professional services rendered in the case of the State against Moses Cox and others, charged with the murder of James Ray, in dissecting and examining the body of said Ray.

On motion of Mr. Barnes,

Ordered that said account be referred to the committee on claims.

Mr. Morrison from the select committee to whom was referred the petition of sundry citizens of Hinds county, praying the passage of an act changing an election precinct therein named, reported that the committee had according to order, had said petition under consideration, and had instructed him to report a bill to be entitled An act to change an election precinct in Hinds county.

On motion of Mr. Morrison,

Ordered, that said report be received.

Whereupon,

Said bill was read the first time.

Mr. Morrison, from the select committee to whom was referred the petition of William S. Byrd, praying that an act may be passed emancipating from the bonds of slavery a female slave named Tenor—

Reported, that the committee had, according to order, had said petition under consideration, and had instructed him to report a bill to be entitled

An act to liberate from the bonds of slavery a negro woman of color.

On motion of Mr. Morrison,

Ordered, that said report be received,

Whereupon,

Said bill was read the first time.

Mr. Shurtleff moved to reject said bill;

And the question being taken thereon,

It was decided in the affirmative.

Mr. Bingaman moved that said vote be reconsidered;

And the question being taken thereon,

It was decided in the negative.

Mr. Bell, from the select committee to whom was referred the petition of Stephen Cocke and others, praying that an act may be passed for the relief of John Thompson, reported that the committee had according to order, had said petition under consideration, and had instructed him to report a bill to be entitled

An act for the relief of John Thompson.

On motion of Mr. Bell,

Ordered that said report be received.

Whereupon,

Said bill was read the first time.

Mr. Vannorman, from the select committee to whom was referred the petition of the members of the Ebenezer Baptist church in the county of Amite, praying an act of incorporation—

Reported, that the committee had according to order, had said petition under consideration, and had instructed him to report a bill to be entitled

An act to incorporate the Baptist church, called Ebenezer, in Amite county.

On motion of Mr. Vannorman,

Ordered, that said report be received.

Whereupon,

Said bill was read the first time.

Mr. Tucker moved to reject said bill;

And the question being taken thereon,

It was decided in the negative.

YEAS 3—NAYS 30.

The yeas and nays being called for by three of the members present—

Those who voted in the affirmative are—

Messrs. Bell, Boyd, Tucker—3.

Those who voted in the negative are—

Messrs. Speaker, Allen, Barnes, Beatie, Bingaman, Bole, Brewer, Carter, Demoss, Dunbar, Dixon, Edwards, Ellis, Harper, Keegan, Learned, Martin, McRea, McDonald, Morrison, Powel, Ragan, Richardson, Shelby, Shurtleff, Stockton, Vance, Vick, Vannerson, Vannorman—30.

A message from the Senate, by Mr. Gilbert, their reading clerk.

MR. SPEAKER:

The Senate have passed bills of the following titles:

A bill to be entitled

An act to reduce into one the several acts and parts of acts concerning highways, ferries and bridges, passed the 16th day of December, 1831, so

far as the same relates to the county of Hinds, and for other purposes.

A bill to be entitled

An act to amend an act to authorize the raising, by way of Lottery, a sum of money for the purpose of opening and improving the navigation of Big Black.

Which two bills originated in the House of Representatives.

The bill from this House to be entitled

An act to emancipate certain slaves therein named,

The Senate have refused to pass.

The Senate have passed a bill to be entitled

An act to prohibit the introduction of Slaves, as merchandize or for sale within the limits of this State; and

A resolution for the relief of the heirs of Samuel C. Wooldridge, dec'd.

Which last mentioned bill, and resolution originated in that body, and in which I am instructed to ask the concurrence of this House.

The Senate have given leave for the introduction of a bill to be entitled

An act to authorize John W. Thompson to build a bridge over the Bayou Pierre, in Claiborne county.

And then he withdrew.

The bill from the Senate to be entitled

An act to prohibit the introduction of slaves, as merchandize or for sale, within the limits of this State,

Was read the first time.

On motion of Mr. Morrison,

Ordered that said bill lie on the table.

The resolution from the Senate, for the relief of the heirs of Samuel C. Wooldridge, deceased,

Was read the first time.

Mr. Tucker, from the joint select committee raised on the fourth article of the Constitution—

Reported, that the committee had further discharged their duty, in relation thereto, and had instructed him to report a bill to be entitled

An act to carry into effect that part of the fourth article of the Constitution which provides for the establishment of the Court of Probates in the several counties of this State.

On motion of Mr. Tucker,

Ordered that said report be received.

Whereupon,

Said bill was read the first time.

On motion of Mr. Stockton,

It was ordered, that said bill lie on the table, and that sixty copies thereof be printed for the members of this House.

Mr. Bingham, from the joint committee on the seventh article—

Reported, that the committee had had the same under consideration and had instructed him to report the following resolution:

Resolved, that it is the imperative duty of this legislature to pass a law

attaching to the importation of slaves, as merchandize, such penalties as will, in their opinion, amount to an absolute prohibition.

On motion of Mr. Bingham,

Ordered, that said report be received, and that the same do lie on the table.

Mr. Vannerson gave notice that he will, on Monday next, ask leave to introduce a bill to be entitled

An act to divide the county of Franklin, and add the portion of it stricken off, to the county of Adams.

Mr. Brewer asked and obtained leave to introduce a bill to be entitled

An act to dissolve the bonds of matrimony heretofore subsisting between Charles Nicaise and Zine Nicaise, of the county of Hancock,

Which was read the first time.

Mr. Ragan, from the select committee to whom was referred the petition of Thomas H. Hopkins, praying the passage of an act extending to him pecuniary aid to indemnify him for expences incurred in the publication of the Mississippi Justice,

Reported, that the committee had, according to order, had said petition under consideration, and had instructed him to report a bill to be entitled

An act concerning the publication of a book therein named, and for other purposes.

On motion of Mr. Ragan,

Ordered, that said report be received.

Whereupon,

Said bill was read the first time.

On motion of Mr. Bingham,

Ordered, that said bill lie on the table.

Mr. Howard gave notice that he will, on Monday next, ask leave to introduce a bill to be entitled

An act to establish the boundaries of the county of Rankin, and for other purposes.

The resolution in relation to the public domain south and west of the old Choctaw line, in the state of Mississippi,

Was read the third time.

Whereupon,

On motion of Mr. Tucker,

The House forthwith resolved itself into a committee of the whole on said resolution, Mr. Beatie in the chair,

And after some time spent therein,

The Speaker resumed the chair, when

Mr. Beatie reported, that the committee of the whole House had had said resolution under consideration, had made an amendment thereto, and had instructed him to report the same as amended.

On motion of Mr. Beatie,

Ordered, that said report be received.

The following written message was then received from His Excellency

the Governor, by Mr. A. Albert Allen, his private Secretary:

EXECUTIVE CHAMBER, January 25, 1833.

Gentlemen of the Senate and

House of Representatives:

I herewith transmit to you a preamble and resolutions, adopted by the legislature of the state of South Carolina, relative to a call of a Convention of the states, to consider and determine such questions of disputed power as have arisen between the states, and the general government.

A. M. SCOTT.

Mr. Stockton, from the joint committee on enrolled bills, made the following report:

MR. SPEAKER:

The joint committee on enrolled bills did, on yesterday, examine An act to incorporate the Gallatin Female Academy, and have found the same correctly enrolled.

The Speaker signed said bill.

Ordered, that the clerk carry it to the Senate for the signature of the President thereof.

The amendment made in committee of the whole to the resolution in relation to the public domain south and west of the old Choctaw line, in the state of Mississippi,

Was then read.

When the House, on motion of Mr. Stockton, adjourned till 2 o'clock, P. M.

2 O'CLOCK, P. M.

The House met pursuant to adjournment—

And, on motion of Mr. Harper, proceeded to consider the amendment made in committee of the whole, to the resolution in relation to the public domain south and west of the old Choctaw line, in the state of Mississippi,

And the question being put, will the House adopt said amendment?

It passed in the affirmative.

It was then moved, by Mr. Keegan, that said amendment, together with the resolution, be considered as re-engrossed and put upon their passage,

And the question being taken thereon,

It was decided in the affirmative.

The question was then taken on the passage of said resolution as amended,

And decided in the affirmative.

Ordered, that the clerk carry said resolution to the Senate, and request their concurrence therein.

On motion of Mr. Barnes,

The House proceeded to consider the bill to be entitled

An act to repeal an act entitled an act concerning high ways, ferries and bridges in Claiborne and Warren counties.

Whereupon,

On motion of Mr. Barnes,

The rule was dispensed with, said bill considered as engrossed, read a third time, and put upon its passage.

And the question being put, shall the bill pass?

It was decided in the affirmative.

Ordered, that the title of said bill be as stated.

Ordered, that the clerk carry said bill to the Senate, and request their concurrence therein.

Mr. Demoss asked and obtained leave to introduce a bill to be entitled
An act to incorporate the town of Clinton, in the county of Hinds.

Which was read the first time.

The engrossed bills entitled, to wit:

An act to authorize the board of county police of Simpson county to levy a special tax, and for other purposes, and

An act to establish and organize the High Court of Errors and Appeals, and to define the powers and jurisdiction thereof,

Were read the third time, and passed with their titles as stated.

Ordered, that the clerk carry said bills to the Senate, and request their concurrence therein.

The engrossed bill entitled, to wit:

An act to dispense with time prescribed by law for Gibson C. Hedrick, of Claiborne county, attaining the age of majority,

Was read the third time and passed with its title as stated.

YEAS 12—NAYS 13.

The yeas and nays being demanded by three of the members present,

Those who voted in the affirmative are—

Messrs. Speaker, Barnes, Beatie, Bingaman, Bole, Boyd, Carter, Demoss, Dixon, Martin, McRae, McDonald, Morrison, Richardson, Shurtleff, Stockton, Vick, Vannerson—18.

Those who voted in the negative are—

Messrs. Bell, Brewer, Dunbar, Edwards, Ellis, Harper, Keegan, Learned, Powel, Ragan, Tucker, Vance, Vannorman—13.

So the bill passed.

Ordered, that the clerk acquaint the Senate therewith, and request their concurrence therein.

The House, according to the order of the day, resolved itself into a committee of the whole on the bill authorizing the building a toll bridge across the Yellow Busha, Mr. Boyd in the chair,

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Boyd reported, that the committee of the whole House had, according to order, had said bill under consideration, had made sundry amendments thereto, and had instructed him to report the same as amended.

On motion of Mr. Boyd,

Ordered, that said report be received.

Mr. Keegan moved that said bill be indefinitely postponed.

Mr. Dunbar moved that the same do lie on the table.

And the question being taken thereon,

It was decided in the affirmative.

A message from the Senate, by Mr. Gilbert, their reading clerk.

MR. SPEAKER:

The President of the Senate has, this day signed bills of the following titles, to wit:

An act to revive and continue the provisions of an act entitled an act to authorize Zachariah Lee to erect and keep a toll bridge over Leaf river, approved December 15th, 1830.

An act to establish a permanent seat of justice in the county of Hancock.

An act to incorporate Yazoo Academy, and for other purposes, which bills originated in the House of Representatives, which are herewith submitted.

The President of the Senate has also signed a bill, which originated in that body, to be entitled

An act to incorporate the Gallatin Female Academy.

And then he withdrew.

The House, according to the order of the day, resolved itself into a committee of the whole on the bill to be entitled

An act to authorize Samuel Carson, guardian, to remove the estate of his wards to the state of Kentucky, and for other purposes, Mr. Learned in the chair,

And after some time spent therein,

The Speaker resumed the chair, when

Mr. Learned reported, that the committee of the whole House had, according to order, had said bill under consideration, had made sundry amendments thereto, and instructed him to report the same as amended.

On motion of Mr. Learned,

Ordered, that said report be received, and

On motion of Mr. Vannorman,

The same was agreed to.

Whereupon,

On motion of Mr. Keegan,

It was ordered that said bill be indefinitely postponed.

The bill to be entitled

An act to establish a Planters Bank in the state of Mississippi, passed on the day of 1830, and for other purposes,

Was in order for a committee of the whole House.

On motion of Mr. Tucker,

Ordered, that the order on said bill be postponed till to-morrow, and that said bill be placed first on the orders of the day for to-morrow.

Mr. Stockton from the joint committee on enrolled bills, made the following report:

MR. SPEAKER:

The joint committee on enrolled bills have this day examined bills of the following titles, to wit:

An act to repeal an act entitled an act to reduce into one the several acts and parts of acts concerning highways, ferries and bridges, passed the 16th day of December, 1831, so far as the same relates to the county of Hinds, and for other purposes.

An act to amend an act entitled an act to authorise the raising by way of Lottery, a sum of money for the purpose of opening and improving the navigation of Big Black—

And have found the same correctly enrolled.

The Speaker signed said Bills.

Ordered, that the clerk carry them to the Senate, for the signature of the President thereof.

On motion of Mr. Harper,

The House proceeded to consider the bill to be entitled

And act to establish and change election precincts in certain counties.

Whereupon,

On motion of Mr. Harper,

Ordered, that said Bill be committed to a select committee of three members,

And in pursuance thereto,

Messrs. Harper, Vannerson, and Bell were appointed.

Mr. Powell asked, and obtained leave to introduce a bill to be entitled

An act to amend an act entitled "an act to reduce into one the several acts regulating inns, taverns, and houses of private entertainment, and for the restraint of tipling houses, passed June 29, 1822."

Which was read the first time.

It was then moved by Mr. Shurtleff, that the House adjourn,

And the question being taken thereon,

It was decided in the negative.

The House, according to the order of the day, resolved itself into a committee of the whole on the bill to be entitled

An act to authorize Henry Dillard to keep a toll bridge over the Habo-lachitto, in the county of Hancock—Mr. Ragan in the chair.

And after some time being spent therein,

The Speaker resumed the chair; when

Mr. Ragan reported, that the committee of the whole House had, according to order, had said bill under consideration, had made an amendment thereto, and had instructed him to report the same as amended.

On motion of Mr. Ragan,

Ordered that said report be received and agreed to.

On motion of Mr. Brewer,

Ordered, that said bill be engrossed and made the order of the day for a third reading on to-morrow.

And then the House adjourned.

Saturday, January 26, 1833.

The House met pursuant to adjournment.

On motion of Mr. Vannerson,

Ordered, that Mr. Allen, a member from the county of Copiah, be excused from further attendance on the House until Wednesday next.

Mr. Bell presented the petition of Joel White, praying the passage of an act, authorizing him to receive from the State Treasury, the amount of certain fines and forfeitures therein mentioned.

On motion of Mr. Bell,

Ordered, that said petition be referred to a select committee of three members, with leave to report by bill or otherwise,

And in pursuance thereto,

Messrs. Bell, Tucker and Beatie were appointed.

Mr. Demoss, from the select committee to whom was referred the petition of William Haws, praying that an act may pass, authorizing him to sell certain real estate therein mentioned, the property of his infant son, Thomas W. Haws,

Reported, that the committee had, according to order, had said petition under consideration, and had instructed him to report a bill to be entitled

An act to authorize William Haws to sell a tract of land therein mentioned.

On motion of Mr. Demoss,

Ordered, that said report be received.

Whereupon,

Said bill was read the first time.

Mr. Dunbar moved to reject said bill.

Mr. Keegan moved that the same do lie on the table,

And the question being taken thereon,

It was decided in the affirmative.

Mr. Tucker presented the petition of sundry citizens of the county of Lowndes, praying that an act may be passed, establishing a Ferry over the Coxoby River, near the residence of Taliaferro S. Howard's, in the county aforesaid.

On motion of Mr. Tucker,

Ordered, that said petition be referred to a select committee of three members, with leave to report by bill or otherwise,

And in pursuance thereto,

Messrs. Tucker, Bell and Howard were appointed.

Mr. Tucker presented the petition of sundry citizens of Lowndes county, praying that an act may be passed, establishing an election precinct, at the House of Taliaferro S. Howard's, in said county.

On motion of Mr. Tucker,

Ordered, that said petition be referred to the committee raised on election precincts.

Mr. Tucker presented the petition of sundry citizens of township nineteen, range seventeen, East, in the county of Howards, praying that an act may be passed, regulating the appointment of school trustees for said township, and authorizing the school lands of said township to be leased.

On motion of Mr. Tucker,

Ordered, that said petition be referred to the committee raised on school lands.

Mr. Richardson, from the select committee to whom was re-committed the bill to be entitled

An act to provide for the erection of public buildings, and selling a portion of the public lots in the town of Jackson—

Reported, that the committee had, according to order, had said bill under consideration, had made sundry amendments thereto, and had instructed him to report the same as amended.

On motion of Mr. Richardson,

Ordered, that said report be received; and,

On motion of Mr. Keegan, the same was agreed to.

On motion of Mr. Dunbar,

Ordered, that said bill be recommitted to a committee of the whole, and made the order of the day for Monday next; and,

On motion of Mr. Keegan,

It was ordered that the said bill be placed first on the orders for Monday next.

On motion of Mr. Morrison,

The House proceeded to the consideration of the bill to be entitled

An act, to reduce into one the several acts relative to strays and drivers, horses, cattle and other stock, and directing stock marks and brands to be recorded.

Whereupon,

On motion of Mr. Morrison,

Ordered, that said bill be made the order of the day for a second reading on Monday next.

On motion of Mr. Barnes,

The House proceeded to consider the bill to be entitled

An act to emancipate certain slaves therein named.

On motion of Mr. Barnes,

Ordered, that said bill be indefinitely postponed.

On motion of Mr. Morrison,

The House proceeded to consider the bill to be entitled

An act to change election precincts in Hinds county.

On motion of Mr. Morrison,

Ordered, that said bill be referred to the committee raised on election precincts.

The House, according to the order of the day, resolved itself into a committee of the whole House, on the bill to be entitled

An act, further to amend an act entitled "An act to establish a Planters Bank in the State of Mississippi, passed on the day of 1830, and for other purposes.

Mr. McRae in the chair,

And after some time spent therein,

The Speaker resumed the chair; when

Mr. McRae reported, that the committee of the whole House had, according to order, had said bill under consideration, had made some progress therein, and had instructed him to report progress, and ask leave to sit again at half past two o'clock, P. M., on this day.

On motion of Mr. McRae,

Ordered, that said report be received.

A message from the Senate, by Mr. Gilbert, their reading clerk:

MR. SPEAKER:

The Senate have passed a bill from the House of Representatives to be entitled

An act to amend an act respecting the appointment and duties of Sheriffs, passed June 15th, 1822.

They have also passed a resolution of invitation to the Rev. Mr. Donnan; in which resolution they desire the concurrence of the House of Representatives.

And then he withdrew.

Mr. Stockton, from the committee on enrolled bills, made the following report:

MR. SPEAKER:

The joint committee on enrolled bills have this day examined a bill entitled

An act to amend an act entitled "An act, respecting the appointment and duties of Sheriffs, passed June 15th, 1822"—

And have found the same correctly enrolled.

The Speaker signed said bill.

Ordered, that the clerk carry it to the Senate, for the signature of the President thereof:

The House adjourned till half past 2 o'clock, P. M.

HALF PAST 2 O'CLOCK, P. M.

The House met pursuant to adjournment—

And, on motion, adjourned till Monday at 9 o'clock, A. M.

P

Monday, January 28, 1853.

The House met pursuant to adjournment.

Mr. Boyd presented the petition of William Harle and Edward T. Farish, praying the passage of an act authorizing them to open a Canal, which will unite the waters of the Homochitto, (Old River,) with the Buffalo, at a point called the Bluff, and extending to them the powers of a body corporate, and granting them a loan of five hundred dollars, to assist them in the purchase of boring and excavating machines.

On motion of Mr. Boyd,

Ordered, that said petition be referred to a select committee of three members, with leave to report by bill or otherwise,

And in pursuance thereto,

Messrs. Boyd, Richardson and Vannorman were appointed.

Mr. Tucker presented the petition of sundry inhabitants of the 18th township, of range 18, west, in the county of Lowndes, praying the passage of an act appropriating a part of the proceeds of the rent of the lots in the town of Columbus, in the county aforesaid, to the benefit of the citizens of said township.

Mr. Tucker also presented the petition of sundry citizens of fractional township twenty, of range seventeen, praying the passage of an act authorizing the commissioners of said township to sell the school lands of the same.

On motion of Mr. Tucker,

Ordered, that said petitions be referred to the committee on school lands.

Mr. Powel presented the petition of sundry citizens of the counties of Simpson and Hinds, praying the Legislature to pass an act establishing a road therein mentioned.

Mr. Harper moved that said petition lie on the table,

And the question being taken thereon,

It was decided in the negative.

Whereupon,

On motion of Mr. Morrison,

Ordered, that said petition be referred to a select committee of three members,

And in pursuance thereto,

Messrs. Powel, Morrison and Shurtleff were appointed.

Mr. Dixon presented the petition of sundry citizens of the county of Jefferson, praying that an act may pass repealing the act authorizing elections to be held at Ludlow's and Beach Hill, and establishing a precinct at Shankstown.

On motion of Mr. Dixon,

Ordered, that said petition be referred to the committee on election precincts.

Mr. Boyd, from the joint committee on the fourth article of the Constitution—

Reported that the committee had, according to order, had the same under consideration, and had instructed him to report a bill to be entitled

An act to reduce into one the several acts concerning the mode of election and jurisdiction of Justices of the Peace in this State.

On motion of Mr. Boyd,

Ordered, that said report be received.

Whereupon,

Said bill was read the first time.

On motion of Mr. Vannorman,

Ordered, that said bill lie on the table, and that sixty copies thereof be printed for the use of the members of this House.

Mr. Tucker made the following report:

MR. SPEAKER:

The committee to which was referred so much of the Governor's Message as relates to the Territory acquired by the Government of the United States, from the Choctaw tribe of Indians, and as to the enactment of laws for the government and protection of the persons who have, or may hereafter, become residents of that territory, beg leave to report, that your committee have had the subject matter of that reference under consideration. Your committee would respectfully represent, that the acquisition of the territory heretofore occupied by the Choctaw tribe of Indians, by the Government of the United States, and consequently by the State, and the rapid emigration of that tribe from the chartered limits of the State, to their new homes, West of the Mississippi River, is the dawn of that era, so long and so anxiously desired by the citizens of the State—an era, when, as it were, this State would emerge from obscurity, and justifiably assume an equal character with her sister States of the Union.—An event without which, the State would have remained not only diminutive, but feeble and without influence in the councils of the Federal Government. But with which, as your committee believe, the State will very soon equal many of the States in population, respectability and influence in the councils of the General Government; an event which should gladden the heart of each citizen of the State. Your committee cannot dismiss the subject of this important acquisition to the State, without calling to mind, and rehearsing some of the many internal advantages of that acquisition: This acquisition presents an extensive territory, situated within a temperate, productive and most desirable climate, and a great abundance of the most fertile and fruitful soil, most admirably adapted to the pursuits of agriculture, the main spring, the prop and pillar of a nation's greatness. A soil which produces, in great abundance, the comforts necessary to sustain life, and which kindly yields to the agriculturalist an immense gain, the highest pride of a Government, and the legitimate idol and ambition of human action.

Connected with these advantages, the many navigable streams border-

ing on, and interspersed within the rich soil of this territory, present facilities enviable, at least, to all who have not the possession; streams whose bosoms are ever ready, at the command of the farmer, to waft the over-abundance of his fruitful soil, with ease, into the best markets.

For the immediate prosperity of the State, in relation to its influence in the General Government, and for the advantages of a Government (an almost indispensable prerequisite to the happiness of society,) for the persons who now have, and who may hereafter become residents of that territory, your committee would respectfully suggest the propriety of the speedy organization of counties, in the most densely populated parts of said territory. Your committee, being aware of the fact, that objections may be urged against this proposition, would therefore anticipate the only objections of any kind of plausibility, which, in the opinion of your committee, are, first: That the organization of new counties with sparse population, will beget unfair and unequal representation. This objection, your committee admit, has at least some plausibility; notwithstanding your committee would think, as the population in some parts of that territory is now very considerable, and as the migration thereto is rapid, that this, as an objection, must wholly fail, as there is the best evidence that part of that territory will be densely populated, very soon, even by the time that new counties can be properly organized; and the second objection that may be urged against the propriety of this proposition, is the want of jurisdiction of the State, in the soil of that territory. This subject your committee would think was fully and finally settled, by a series of uniform decisions, both of the General and State Government, and would therefore think that this, as a ground of objection, will not be vehemently urged; but should your committee in this be mistaken, your committee imagine, that there is ample ground to justify the State upon principle, in the exercise of this jurisdiction. Your committee would ask those who deny the State this power—has the State jurisdiction co-extensive with her chartered limits? If she has not, does she not want that attribute of sovereignty, which each State is admitted to possess, and without which she cannot be a sovereign State?

A denial of this proposition would admit and adopt that preposterous, fatal and inconsistent heresy in government, technically termed *imperium in imperio*, the creation of a power within a power. But admitting the want of jurisdiction in the state, which your committee will not dare to do, this objection must also wholly fail, on the ground that the occupancy of that tribe of Indians will very soon expire, perhaps within the present year, and at all events by the time that new counties could be properly organized. For this reason, your committee would respectfully suggest, that there would be propriety in legislative action in anticipation.

Your committee would also suggest that they are fully satisfied, that the few Choctaw Indians now remaining in said territory, so far from making objections to the migration of the whites into their former territory, are much gratified, as it gives them a market for such traffic as they are unable to transport, and which they otherwise would lose.

Your committee would also respectfully represent, that they have maturely considered the subject matter of reference, and are of opinion that the reasons for, greatly preponderate the objections against, the organization of a part of that territory into counties; and have therefore instructed me to report a bill to be entitled—

An act to divide Lowndes county, and to define the boundaries thereof, and to lay off and define the boundaries of new counties, and for other purposes.

On motion of Mr. Tucker,

Ordered, that said report be received.

Whereupon,

Said bill was read the first time.

Mr. Boyd moved that sixty copies of said bill be printed for the use of this House,

And the question being taken thereon,

It was decided in the negative.

Mr. Shurtleff asked, and obtained leave to introduce a bill to be entitled—

An act more effectually to provide for the prosecution of suits upon bonds, bills, obligations, bills of exchange, promissory notes, and other writings for the payment of money—

Which was read the first time.

Mr. Vannerson moved to reject said bill—

When a debate arose;

And the previous question was called for by Mr. Keegan, and being demanded by a majority of the members present,

The said previous question was then put, viz:

Shall the main question be now put?

And passed in the affirmative.

The said main question was then put, viz:

Shall said bill be rejected?

And decided in the negative.

YEAS 7—NAYS 23.

The yeas and nays being called for by three of the members present—

Those who voted in the affirmative are—

Messrs. Bingham, Harper, Learned, Martin, Richardson, Stockton, Vannerson—7.

Those who voted in the negative are—

Messrs. Speaker, Barnes, Beatie, Bell, Bole, Boyd, Brewer, Demoss, Dunbar, Dixon, Edwards, Ellis, Keegan, McRae, McDonald, Morrison, Powell, Ragan, Shelby, Shurtleff, Tucker, Vick, Vannorman—23.

On motion of Mr. Bell,

Ordered, that said bill be laid on the table, and that sixty copies thereof be printed for the use of the members of this House.

A message from the Senate, by Mr. Gilbert, their reading clerk—

MR. SPEAKER:

The Senate have passed bills of the titles following, to wit:

A bill to be entitled

An act to amend an act to permit the citizens of Jackson county, to select a permanent seat of Justice for said county, and for other purposes.

A bill to be entitled

An act further to incorporate the school commissioners for fractional township No. 1, range 4, west of the Basis meridian.

Which two bills originated in this House.

The President of the Senate did, on Saturday last, sign a bill to be entitled

An act to amend an act entitled an act to authorize the raising, by way of lottery, a sum of money for the purpose of improving the navigation of Big Black; and a bill to be entitled

An act to repeal an act entitled an act to reduce into one the several acts and parts of acts concerning highways, ferries and bridges, passed 16th December, 1831, so far as the same relates to the county of Hinds, and for other purposes.

Which two bills also originated in this House.

And then he withdrew.

Mr. Boyd asked and obtained leave to introduce a bill to be entitled

An act to prescribe the form of commissions in this State.

Which was read the first time.

Mr. Barnes moved to reject said bill,

And the question being taken thereon,

It was decided in the negative.

A message from the Senate, by Mr. Gilbert, their reading clerk.

MR. SPEAKER:

The Senate have adopted the resolution following, to wit:

Resolved, by the Legislature of the State of Mississippi, both branches thereof concurring therein, that the two Houses will meet in the Representative Hall on Wednesday next, at 12 o'clock, M., for the purpose of electing a Senator in the Congress of the United States, to fill the vacancy occasioned by the resignation of the Hon. P. Ellis, and also to elect a Senator in Congress for six years from the 4th day of March next.

In which resolution I am instructed to ask the concurrence of this House.

And then he withdrew.

On motion of Mr. Harper,

The House proceeded to the consideration of the resolution proposing that the previous question be allowed in committee of the whole during the present session.

Mr. Vannorman moved the indefinite postponement of said resolution.

And the question being taken thereon,

It was decided in the negative.

The question then recurred upon the adoption of said resolution, and after debate thereon,

The previous question was called for by Mr. Bingaman, and being demanded by a majority of the members present,

The said previous question was then put, viz.

Shall the main question be now put?

And decided in the affirmative.

The said main question was then put, viz:

Shall the resolution be adopted?

And decided in the affirmative.

YEAS 18—NAYS 13.

The yeas and nays being called for by three of the members present—

Those who voted in the affirmative are—

Messrs. Barnes, Beatie, Bingaman, Bole, Boyd, Edwards, Ellis, Harper, Keegan, Martin, McRae, McDonald, Powel, Ragan, Richardson, Shelby, Stockton, Vick—18.

Those who voted in the negative are—

Messrs. Speaker, Bell, Brewer, Damoss, Dunbar, Dixon, Learned Morrison, Shurtleff, Tucker, Vance, Vannerson, Vannorman—13.

Mr. Brewer asked, and obtained leave, to introduce a bill to be entitled
An act to amend the seventh chapter of the acts for the year 1824, and the eighty first chapter of the acts of 1831.

Which was read the first time.

On motion of Mr. Dixon,

The House proceeded to consider the resolution from the Senate in relation to the election of a United States Senator.

Whereupon,

Mr. Keegan moved that the same be amended as follows:

Strike out all after the word "resolved," to the word "the," and insert the words, to wit: "that with the concurrence of the House of Representatives."

And the question being taken thereon,

It was decided in the affirmative.

Mr. Tucker moved to amend said resolution as follows:

Strike out all after the words "the Hon. P. Ellis," in the 10th line,

And the question being taken thereon,

It was decided in the negative.

Mr. Vannerson moved that said resolution be amended as follows:

Strike out the word "Wednesday," and insert the word "Thursday,"

And the question being taken thereon,

It was decided in the affirmative.

The question was then taken on the adoption of said resolution, as amended,

And decided in the affirmative.

Ordered, that the clerk acquaint the Senate therewith, and desire their concurrence in the said amendments.

Mr. Demoss, from the select committee to whom was referred the petition of sundry citizens of the county of Hinds, praying the passage of an act extending the limits of the corporation of the town of Raymond,

Reported, that the committee had, according to order, had said petition

under consideration, and had instructed him to report a bill to be entitled "An act to amend an act entitled 'an act to incorporate the town of Raymond, in the county of Hinds, approved December 15th, 1830.'"

On motion of Mr. Demoss,

Ordered, that said report be received.

Whereupon,

Said bill was read the first time.

And then the House adjourned till 2 o'clock, P. M.

2 O'CLOCK, P. M.

The House met pursuant to adjournment—

Mr. Beasley, a member from the county of Copiah, appeared and took his seat in the Hall.

On motion of Mr. Vance,

The House proceeded to the consideration of the petition of sundry citizens of Yazoo county, praying the legislature to pass

An act establishing a branch of the Planters Bank of the state of Mississippi at the town of Manchester, in said county.

On motion of Mr. Bell,

Ordered, that said petition lie on the table.

On motion of Mr. Bell,

Ordered, that the order on the bills entitled, to wit:

An act to provide for the erection of public buildings, and selling a portion of the public lots in the town of Jackson, and

An act to authorize Henry Dillard to keep a toll bridge over the Habolachitto, in the county of Hancock, be suspended, and that the House do now proceed to consider the bill to be entitled

An act further to amend an act entitled "an act to establish a Planters Bank in the state of Mississippi, passed on the day of 1830, and for other purposes."

Whereupon,

The House forthwith resolved itself into a committee of the whole on said bill, Mr. Stockton in the chair,

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Stockton reported, that the committee of the whole House had, according to order, had the said bill under consideration, had made sundry amendments thereto, and instructed him to report the same as amended.

On motion of Mr. Stockton,

Ordered, that said report be received.

The first, second, third and fourth of the said amendments were then read and concurred in by the House.

The fifth of said amendments was then read, when it was moved by Mr. Dunbar that the same be amended as follows:

Insert after the word "capital," in the first line, the word "stock."

And the question being taken thereon,

It was decided in the affirmative.

The question was then taken on the adoption of said amendment, as amended.

And decided the affirmative.

The reading of said bill by sections being then called for by Mr. Bell,

The first section was read, when

Mr. Bell moved that the same be amended as follows:

Strike out the whole of said section;

And the question being taken thereon,

It was decided in the negative.

YEAS 7—NAYS 26.

The yeas and nays being called for by three of the members present:

Those who voted in the affirmative are—

Messrs. Bell, Brewer, Demoss, Edwards, Ellis, McDonald, Tucker—7.

Those who voted in the negative are—

Messrs. Speaker, Barnes, Beasley, Beatie, Bingaman, Bole, Boyd, Dunbar, Dixon, Harper, Howard, Keegan, Learned, Martin, McRae, Morrison, Powel, Ragan, Richardson, Shelby, Shurtleff, Stockton, Vance, Vick, Vannerson, Vannorman—26.

The 2d, 3d, 4th, 5th, 6th, 7th, 8th and 9th sections being read, and no amendments proposed, the 10th was read, when it was moved, by Mr. Dunbar, that the same be amended as follows:

Strike out the 10th section.

And the question being taken thereon,

It was decided in the negative.

YEAS 6—NAYS—26.

The yeas and nays being called for by three of the members present:

Those who voted in the affirmative are—

Messrs. Boyd, Demoss, Dunbar, Edwards, McDonald, Shelby—6.

Those who voted in the negative are—

Messrs. Speaker, Barnes, Beasley, Beatie, Bell, Bingaman, Bole, Brewer, Dixon, Harper, Howard, Keegan, Learned, Martin, McRae, Morrison, Powel, Ragan, Richardson, Shurtleff, Stockton, Tucker, Vance, Vick, Vannerson, Vannorman—26.

The remainder of said sections being read, and no amendments proposed, it was moved by Mr. Dunbar, that the House reconsider the vote taken on the 4th amendment made in committee of the whole;

And the question being taken thereon;

It was decided in the negative.

Whereupon,

On motion of Mr. Vick,

Ordered, that the said bill be engrossed and made the order of the day for a third reading on to-morrow;

A message from the Senate, by Mr. Gilbert, their reading clerk;

Q

MR. SPEAKER:

The President of the Senate has this day signed a bill which originated in this House, to be entitled

An act to amend an act entitled an act respecting the appointment and duties of sheriff, passed June 15th, 1822.

And then he withdrew.

Whereupon,

On motion, the House adjourned.

Tuesday, January 29, 1833.

The House met pursuant to adjournment.

Mr. McDonald, from the select committee to whom was referred the petition of Cloe Flurry, administratrix of the estate of William Flurry, deceased, praying the passage of an act, authorizing the removal of the property of said estate, into the State of Alabama—

Reported, that the committee had, according to order, had said petition under consideration, and had instructed him to report a bill to be entitled

An act to authorize the administratrix of the estate of William Flurry, deceased, to remove the personal property of said deceased, into the State of Alabama.

On motion of Mr. McDonald,

Ordered, that said report be received.

Whereupon,

Said bill was read the first time.

Mr. Tucker moved that said bill be rejected.

And the question being taken thereon,

It was decided in the negative.

Mr. Vannorman called for the consideration of the resolution from the Senate, in relation to the Rev. Mr. Donan; but the House did not sustain said call.

Mr. Powell made the following report:

MR. SPEAKER:

The committee to whom was referred the petition of James Welch and sundry citizens of Hinds and Simpson counties, praying that a law may pass, declaring the road by his Ferry a public highway, have, according to order, had the same under consideration, and beg leave to report, that they think the petition unreasonable, and ought not to be granted; inasmuch as they think the laws already in force, are amply sufficient to provide for the laying out roads, and to declare what roads shall be considered public highways; and your committee beg leave to be discharged from the farther consideration of the same.

On motion of Mr. Powel,

Ordered, that said report be received.

Mr. Boyd moved a reconsideration of the vote taken on the resolution in relation to the previous question in committee of the whole.

A motion was then made by Mr. Harper, that there be a call of the House.

And the question being taken thereon,

It was decided in the affirmative.

The roll of the members was then called by the clerk, when it was found that the following members answered to their names.

Messrs. Beasley, Beatie, Bell, Boyd, Brewer, Demoss, Dunbar, Dixon, Edwards, Harper, Howard, Keegan, Learned, Martin, McRae, McDonald, Morrison, Powel, Ragan, Shurtleff, Stockton, Tucker, Vannorman—23.

On motion of Mr. Harper,

It was ordered, that the absent members be sent for.

Several of the absent members having appeared and taken their seats in the Hall, it was moved by Mr. Vannorman, that further action on said call be suspended.

And the question being taken thereon,

It was decided in the negative.

Other absent members then appeared; when it was moved by Mr. Keegan, that the House proceed to take the vote on the motion to reconsider the vote on said resolution.

And the question being taken thereon,

It was decided in the affirmative.

The question then recurred on the motion to reconsider the vote taken on said resolution—

When a debate arose; and the previous question was called for by Mr. Keegan, but was not sustained by a majority of the members present.

Whereupon,

The debate was resumed and continued at some length—

When the question to reconsider the said vote was taken,

And decided in the affirmative.

YEAS 19—NAYS 13.

The yeas and nays being demanded by three of the members present:

Those who voted in the affirmative are—

Messrs. Speaker, Beasley, Beatie, Bell, Boyd, Brewer, Demoss, Dunbar, Dixon, Howard, Learned, Morrison, Ragan, Shurtleff, Tucker, Vance, Vick, Vannerson, Vannorman—19.

Those who voted in the negative are—

Messrs. Barnes, Bingaman, Edwards, Ellis, Harper, Keegan, Martin, McRae, McDonald, Powel, Richardson, Shelby, Stockton—13.

The question then recurred on the re-adoption of said resolution—

When it was moved by Mr. Stockton, that the same do lie on the table.

And the question being taken thereon,

It was decided in the negative.

Whereupon,

On motion of Mr. Bell,

It was ordered that said resolution be indefinitely postponed.

A message from the Senate, by Mr. Gilbert, their reading clerk:

MR. SPEAKER:

The Senate have passed the bill from the House of Representatives to dispense with the time required by law for Gibson C. Hedrick, of Claiborne county, attaining the age of majority.

The Senate have concurred in the amendments made to the joint resolution by this House, in relation to the election of a Senator in the Congress of the United States, to fill the vacancy occasioned by the resignation of the Hon. P. Ellis, and a Senator for the constitutional term, commencing on the fourth day of March next—the election to be held, under the resolution as amended, in the Representative Hall, on Thursday next, at 12 o'clock, Meridian.

And then he withdrew.

Mr. Dunbar gave notice that he will, on to-morrow, move for leave to introduce a bill to be entitled

An act to establish the Agricultural Bank of Mississippi.

On motion of Mr. Barnes,

The House proceeded to the consideration of a resolution, and sundry bills from the Senate.

Whereupon,

The bill entitled, to wit:

An act to organize and establish Circuit Courts, and to define their powers and jurisdiction in law and equity—

Was read the first time.

The bill to be entitled

An act to change an election district in the county of Copiah—

Was read the first time; and

On motion of Mr. Dunbar,

Ordered, to lie on the table.

The bill to be entitled

An act to authorize Micajah Picket, jr., to sell certain slaves therein named—

Was read the first time.

Mr. Tucker moved that the same be rejected.

And the question being taken thereon,

It was decided in the negative.

The resolution in relation to the Rev. Mr. Donan—

Was read the first time.

Mr. Tucker moved that the same do lie on the table—

When a debate arose,

And the previous question was called for by Mr. Bingaman, and demanded by a majority of the members present—

The said previous question was then put, viz:

Shall the main question be now put?

And decided in the affirmative.

The said main question was then put, viz:

Shall said resolution lie on the table?

And decided in the affirmative.

The House, according to the order of the day, resolved itself into a committee of the whole, on the bill to be entitled

An act, to provide for the erection of public buildings, and selling a portion of the public lots in the town of Jackson—

Mr. Dunbar in the chair,

And after some time spent therein,

The Speaker resumed the chair; and

Mr. Dunbar reported, that the committee of the whole House had, according to order, had said bill under consideration, had made some progress therein, and had instructed him to report progress and ask leave to sit again at half past two o'clock, P. M., on this day.

On motion of Mr. Dunbar,

Ordered, that said report be received and agreed to.

Mr. Stockton, from the joint committee on enrolled bills, made the following report:

MR. SPEAKER:

The joint committee on enrolled bills, have this day examined bills of the following titles, to wit:

An act to dispense with the time prescribed by law for Gibson C. Hedrick, of Claiborne county, attaining the age of majority.

An act further to incorporate the school commissioners for Fractional township, No. 1, range 4, West of the basis meridian.

An act to amend an act to permit the citizens of Jackson county to select a permanent Seat of Justice for said county, and for other purposes, approved December 15th, 1830.

And have found the same correctly enrolled.

The Speaker signed said bills.

Ordered, that the clerk carry them to the Senate, for the signature of the President thereof.

And then the House adjourned till half past 2 o'clock, P. M.

HALF PAST 2 O'CLOCK, P. M.

The House met pursuant to adjournment—

And, according to the order of the day, resumed, in committee of the whole, the consideration of the bill to be entitled

An act to provide for the erection of public buildings, and selling a portion of the public lots in the town of Jackson.

Mr. Dunbar again in the chair,

And after some time spent therein,

A message from His Excellency the Governor, was announced in the Hall.

Whereupon,

The Speaker resumed the chair, when

The following written message was received from His Excellency, by Mr. A. Albert Allen, his private Secretary:

EXECUTIVE CHAMBER,
Jackson, January 29, 1833.

Gentlemen of the House of Representatives:

I herewith return the bill entitled

An act to amend an act entitled "an act respecting the appointment, and duties of Sheriffs, passed June 15, 1822," which originated in your body, with the following objections:

The 1st. section provides "that every person who shall be imprisoned, charged with a criminal offence, who may be unable or *unwilling* to support himself or herself, shall be supplied by the Sheriff (or Jailor under his direction,) with specified articles necessary for his or her sustenance and comfort, to be paid for with any money in the Treasury of the State not otherwise appropriated."

This provision confers upon the prisoner a discretion to pay or not to pay, which it must be apparent would, in every case, throw upon the State the costs of the imprisonment; as it is not to be presumed that any prisoner, even if able, would discharge a debt incurred by his or her own imprisonment, when the simple expression of an unwillingness to do so would relieve him or her from the responsibility of paying.

(Signed)

A. M. SCOTT.

The House again resumed, in committee of the whole, the consideration of said bill—Mr. Dunbar again in the chair.

And after some further time spent therein,

The committee of the whole rose; and the Speaker again resumed the chair; when

Mr. Dunbar reported, that the committee of the whole House had, according to order, again had under consideration the said bill, had made some further progress therein, but having come to no determination thereon, had instructed him to ask leave to sit again on to-morrow, at 9 o'clock, A. M.

On motion of Mr. Dunbar,

Ordered, that said report be received and agreed to.

And then the House adjourned.

Wednesday, January 30, 1833.

The House met pursuant to adjournment.

Mr. Vannerson made the following report:

MR. SPEAKER:

The joint committee of both houses, raised on the 5th article of the revised constitution, in relation to the Executive department of Government, have had the same under consideration, and have instructed me as chairman of that part of the committee raised on the part of this House, to report the following bills:

A bill to be entitled

An act to define certain duties of the Governor, and to establish his salary.

A bill to be entitled

An act to prescribe the duties of the Secretary of State, and to establish his salary.

A bill to be entitled

An act to provide for a contingent fund of the executive department, and

A bill to be entitled

An act to regulate contested elections for Governor.

The committee have instructed me further to report that other duties assigned them under the said article, in relation to the Auditor of public accounts, and State Treasurer, are in progress before them and will be shortly completed. They have likewise instructed me to report that they deem it inexpedient for them to report a system of militia laws, which is embraced within their duties arising under the 5th article of the constitution—to ask to be discharged from that duty and that the subject be committed to a select committee on the part of this House.

All which is respectfully submitted.

WM. VANNERSON, *Chairman.*

On motion of Mr. Vannorman,

Ordered, that said report be received.

Whereupon,

Said bills were read the first time.

Mr. Tucker, from the select committee to whom was referred the resolution directing an inquiry into the expediency of memorializing the Congress of the United States, on the subject of removing the Federal District Court to the Town of Jackson,

Reported, that the committee had, according to order had said resolution under consideration and had instructed him to report a memorial, to the Senate and House of Representatives of the Congress of the United States of America in Congress assembled to locate the Federal District Court at the town of Jackson, in the county of Hinds.

On motion of Mr. Tucker,

Ordered that said report be received.]

Whereupon,

Said memorial was read the first time.

On motion of Mr. Shurtleff,

The House proceeded to the consideration of the resolution on the subject of revising the militia system.

Whereupon,

Said resolution was re-adopted.

Mr. Boyd made the following report:

MR. SPEAKER:

The committee to whom was referred the petition of William Haile and Edward T. Farrish, have had the same under consideration, and beg leave to report the following as the result of their deliberations.

Your committee think that owing to the heavy expenditures which the state will most probably shortly incur, and also that there are many objects of this kind which present themselves to the favorable consideration of this body, to all of which it will be impossible to give that aid and relief which their's require, that it would be inexpedient at this time to make appropriations out of the treasury to purposes of internal improvement, however beneficial the objects of them when effected may be.

Your committee, however, believe that the uniting of the Old river and Buffalo, at the point contemplated by the petitioners, by a canal or channel, would be a measure of great benefit to a large section of country, and a great number of our citizens, as they have no doubt but that it will open a good navigation and a very considerable trade in the Homochitto river, and as an encouragement and indemnity to the said petitioners for undertaking so laudable an object, report a bill to be entitled

An act to incorporate the Buffalo and Homochitto canal company, and for other purposes.

On motion of Mr. Boyd,

Ordered, that the said report be received.

Whereupon,

Said bill was read the first time.

On motion of Mr. Vannorman,

The House proceeded to the consideration of the bill to be entitled

An act for the relief of Samuel M. Puckett and John Thompson.

Whereupon,

On motion of Mr. Tucker,

Ordered, that said bill be referred to the committee of propositions and grievances.

On motion of Vannerson,

The House proceeded to consider the petition of sundry citizens of Adams county praying the passage of an act changing the election precinct held at the Old Court House in said county, to the House of George W. Kellogg.

On motion of Mr. Vannerson,

Ordered, that said petition be referred to the committee raised on election precincts,

The House, according to the order of the day, resumed, in committee of the whole, the consideration of the bill to be entitled

An act to provide for the erection of public buildings and selling a portion of the public lots in the town of Jackson—Mr. Dunbar again in the chair.

And after some time spent therein,

The Speaker resumed the chair; and

Mr. Dunbar reported, that the committee of the whole House had, according to order, had said bill under consideration, had made some further progress therein, but having come to no determination thereon, had instructed him to ask leave to sit again at 9 o'clock, A. M., on to-morrow.

On motion of Mr. Dunbar,

Ordered, that said report be received and agreed to.

The engrossed bill entitled

An act to authorize Henry Dillard to keep a toll bridge over the Habolachito in the county of Hancock—

Was read the third time,

And passed with its title as stated.

Ordered, that the clerk acquaint the Senate therewith, and desire their concurrence therein.

The engrossed bill entitled

An act further to amend an act entitled "an act to establish a Planters Bank in the State of Mississippi, passed ———, day of ——— 1830, and for other purposes." —

Was read the third time.

Mr. Tucker moved to amend said bill by way of rider, as follows:

Amend the 15th section by adding to the end thereof, the words, to wit: "Provided, that the sum of one million of dollars of stock by this section authorized to be subscribed, shall be subject and liable to taxation."

Whereupon,

Said rider was read the first time.

Mr. Keegan moved that said rider be rejected.

Whereupon,

A discussion arose—

When the previous question was called for by Mr. Bingaman, and being demanded by a majority of the members present—

The said previous question was then put, viz:

Shall the main question be now put?

And decided in the affirmative.

The said main question was then put, viz:

Shall said rider be rejected?

And decided in the affirmative.

YEAS 19—NAYS 12.

The yeas and nays being demanded by three of the members present,

Those who voted in the affirmative are—

Messrs. Speaker, Barnes, Beasley, Beatie, Bingaman, Boyd, Demoss,

Dixon, Edwards, Howard, Keegan, Martin, McRae, Richardson, Shelby, Stockton, Vance, Vick, Vannerson—19.

Those who voted in the negative are—

Messrs. Bell, Bole, Brewer, Ellis, Harper, Learned, McDonald, Morrison, Ragan, Shurtleff, Tucker, Vannorman—12.

The question was then taken on the passage of said bill,

And decided in the affirmative.

YEAS 27—NAYS 5.

The yeas and nays being demanded by three of the members present,

Those who voted in the affirmative are—

Messrs. Speaker, Barnes, Beasley, Beatie, Bingaman, Bole, Boyd, Demoss, Dixon, Edwards, Harper, Howard, Keegan, Learned, Martin, McRae, Morrison, Powel, Ragan, Richardson, Shelby, Shurtleff, Stockton, Vance, Vick, Vannerson, Vannorman—27.

Those who voted in the negative are—

Messrs. Bell, Brewer, Ellis, McDonald, Tucker—5.

It was then moved by Mr. Keegan, that the title of said bill be amended as follows:

Strike out all after the word "Mississippi," in the title of said bill, and insert the words, to wit: "Approved February 10, 1830, and the acts supplemental thereto."

And the question being taken thereon,

It was decided in the affirmative.

The question was then taken on the title of said bill as amended,

And passed in the affirmative.

Ordered, that the clerk carry said bill to the Senate, and desire their concurrence therein.

A message from the Senate, by Mr. Gilbert, their reading clerk:

MR. SPEAKER:

The President of the Senate has this day signed the acts following, to wit; the bills which originated in this House:

An act further to incorporate the school commissioners for fractional township No. 1, Range 4, west of the basis meridian.

An act to dispense with the time prescribed by law for Gibson C. Hedrick, of Claiborne county, attaining the age of majority.

An act to amend "an act to permit the citizens of Jackson county to select a permanent seat of Justice for said county, and for other purposes, approved December 15th, 1830."

The Senate have given leave for the introduction of a bill to be entitled

An act to authorize the Judge of the Circuit Courts of Jackson and Hancock counties, to appoint an interpreter in certain cases.

And then he withdrew.

The engrossed resolution from the Senate for the relief of the heirs of Samuel C. Wooldridge deceased—

Was read the second time.

Mr. Harper moved that said resolution be indefinitely postponed.

And the question being put thereon,

It was decided in the affirmative.

YEAS 4—NAYS 24.

The yeas and nays being demanded by three of the members present,

Those who voted in the affirmative are—

Messrs. Ellis, Harper, Powel, Vannorman—4.

Those who voted in the negative are—

Messrs. Speaker, Barnes, Beasley, Bell, Bingaman, Bole, Boyd, Brewer, Demoss, Edwards, Howard, Keegan, Learned, McRae, Morrison, Ragan, Richardson, Shelby, Shurtleff, Stockton, Tucker, Vance, Vick, Vannerson—24.

On motion of Mr. Morrison,

Ordered, that said resolution be committed to a committee of the whole House, and made the order of the day for Monday next.

And then the House adjourned till 2 o'clock, P. M.

2 O'CLOCK, P. M.

The House met pursuant to adjournment.

Mr. Allen, a member from the county of Copiah, appeared and took his seat in the Hall.

Mr. Stockton, from the joint committee on enrolled bills, made the following report:

MR. SPEAKER:

The joint committee on enrolled bills have this day presented to his Excellency the Governor, for his approbation and signature, bills of the following titles, to wit:

An act to dispense with the time prescribed by law for Gibson C. Hedrick, of Claiborne county, attaining the age of majority.

An act further to incorporate the school commissioners for fractional township No. 1, range 4, west of the basis meridian.

An act to amend "an act to permit the citizens of Jackson county to select a permanent seat of Justice for said county, and for other purposes, approved December 15, 1830."

On motion of Mr. Vannerson,

The House proceeded to the consideration of the bill authorizing the building of a toll bridge across the Yellow Busha.

On motion of Mr. Vannerson,

Ordered, that said bill be engrossed and made the order of the day for a third reading on to-morrow.

On motion of Mr. Vannerson,

The vote taken on said order was re-considered.

Whereupon,

It was moved by Mr. Vannerson, that the report of the committee of the whole on said bill be agreed to.

Mr. Bell called for the reading of the amendments made in committee of the whole to said bill.

Whereupon,

Said amendments were read and concurred in by the House.

It was moved by Mr. Harper, that said bill be indefinitely postponed.

And the question being taken thereon,

It was decided in the negative.

Mr. Dixon moved that said bill be re-committed to the select committee to whom it was last committed.

And the question being taken thereon,

It was decided in the negative.

Whereupon,

On motion of Mr. Tucker,

Ordered, that said bill be re-committed to the committee of the whole House, and made the order of the day for to-morrow.

Mr. Dunbar asked and obtained leave to introduce a bill to be entitled

An act to establish the Agricultural Bank of Mississippi—

Which was read the first time.

Mr. Stockton moved that one hundred and fifty copies thereof be printed for the use of the members of this House.

And the question being taken thereon,

It was decided in the negative.

Mr. Vannerson moved that one hundred copies of said bill be printed.

And the question being taken thereon,

It was also decided in the negative.

Whereupon,

On motion of Mr. Howard,

It was ordered, that the clerk have sixty copies of the said bill printed.

The engrossed bill from the Senate entitled, to wit:

An act to organize and establish Circuit Courts, and to define their powers and jurisdiction in law and equity—

Was read the second time.

On motion of Mr. Tucker,

Ordered, that said bill lie on the table.

The engrossed bill from the Senate entitled, to wit:

An act to authorize Micajah Pickett, Jr., to sell certain slaves therein named—

Was read the second time.

Mr. Shurtleff moved that said bill be made the order of the day for a third reading on to-morrow.

Mr. Tucker moved that the same be indefinitely postponed.

And the question being taken thereon,

It was decided in the affirmative.

The bill to be entitled

An act to incorporate the officers and members of Western Star Lodge, No. 20, duly authorized and established on Society Ridge, Hinds county, by a charter from the Grand Lodge of the State of Mississippi—

Was read the second time.

On motion of Mr. Dent,

Ordered, that said bill be engrossed and made the order of the day for a third reading on Monday next.

The bill to be entitled

An act to alter and amend the second section of the seventh article of the Constitution, under the the head or title "slaves,"

Was read the second time.

On motion of Mr. Howard,

Ordered, that said bill be committed to a committee of the whole House, and made the order of the day for to-morrow.

The bill to be entitled

An act to amend an act entitled "an act for the relief of Alexander Wil-
lis, approved December 8th, 1831"—

Was read the second time.

On motion of Mr. Dixon,

Ordered, that said bill be engrossed and made the order of the day for a third reading on to-morrow.

The bill to be entitled

An act to repeal an act entitled "an act to repeal so much of the act en-
titled an act to authorize the County Courts of the several counties there-
in named, to make allowance to clerks of elections, approved February
8th, 1827, as relates to the County of Wilkinson and Jefferson, and for
other purposes"—

Was read the second time.

On motion of Mr. Boyd,

Ordered, that said bill be committed to a committee of the whole House, and made the order of the day for to-morrow.

The bill to be entitled

An act to provide for the location of a permanent seat of Justice for
Madison county—

Was read the second time.

On motion of Mr. Howard,

Ordered, that said bill be committed to a committee of the whole House,
and made the order of the day for Tuesday next.

The bill to be entitled

An act to repeal the fortieth chapter of the laws of the State of Missis-
sippi, passed December 19th, 1831—

Was read the second time.

On motion of Mr. Howard,

Ordered, that said bill lie on the table.

The bill to be entitled

An act concerning the powers and jurisdiction of the Circuit Courts of
law in this State—

Was read the second time.

On motion of Mr. Tucker,

Ordered, that said bill be committed to a committee of the whole
House, and made the order of the day for to-morrow.

The bill to be entitled

An act to incorporate Pearl river Academy, in the county of Madison—

Was read the second time.

On motion of Mr. Beatie,

Ordered, that said bill be committed to a committee of the whole House, and made the order of the day for to-morrow.

The bill to be entitled

An act to abolish certain punishments—

Was read the second time.

On motion of Mr. Boyd,

Ordered, that said bill be committed to a committee of the whole House, and made the order of the day for Monday next.

The bill to be entitled

An act for the relief of John Thompson—

Was read the second time.

On motion of Mr. Bell,

Ordered, that said bill be committed to a committee of the whole House, and made the order of day for to-morrow.

The bill to be entitled

An act to incorporate the Baptist church called Ebenezer, in Amite county—

Was read the second time.

On motion of Mr. Vannorman,

Ordered, that said bill be engrossed and made the order of the day for a third reading on to-morrow.

The bill to be entitled

An act to dissolve the bonds of matrimony heretofore subsisting between Charles Necaise and Zine Necaise of the county of Hancock—

Was read the second time.

On motion of Mr. Brewer,

Ordered, that said bill be engrossed and made the order of the day for a third reading on to-morrow.

The bill to be entitled

An act to incorporate the town of Clinton, in the county of Hinds—

Was read the second time

On motion of Mr. Demoss,

Ordered, that said bill be committed to a committee of the whole House, and made the order of the day for Monday next.

The bill to be entitled

An act to amend an act entitled "an act to reduce into one the several acts, regulating inns, taverns and houses of private entertainment, and for the restraint of tipling houses, passed June 29th, 1822"—

Was read the second time.

On motion of Mr. Barnes,

Ordered, that said bill be committed to a committee of the whole House, and made the order of the day for to-morrow.

The bill to be entitled

An act to reduce into one the several acts relative to strays and drovers, horses, cattle and other stock, and directing stock marks and brands to be recorded.

Was read the second time.

Mr. Shurtleff moved that said bill be indefinitely postponed.

And the question being taken thereon,

It was decided in the negative.

Mr. Morrison moved that said bill be committed to a committee of the whole House, and made the order of the day for Monday next.

And the question being taken thereon,

It was decided in the affirmative.

Mr. Richardson submitted the following resolution:

Resolved, That a select committee of three be appointed to inform the Rev'd. Mr. Donan, on behalf of this House, that it will be agreeable to have divine service performed by him in the State House, whenever it may suit his engagements, and the same be unoccupied.

Mr. Tucker moved that said resolution lie on the table.

And the question being taken thereon,

It was decided in the negative.

YEAS 5—NAYS 23.

The yeas and nays being demanded by three of the members present,

Those who voted in the affirmative are—

Messrs. Dunbar, Ellis, Edwards, Tucker, Vannorman—5.

Those who voted in the negative are—

Messrs. Speaker, Allen, Barnes, Beasley, Beatie, Bell, Bingaman, Bole, Boyd, Brewer, Carter, Demoss, Harper, Keegan, Learned, Martin, McDonald, Morrison, Ragan, Richardson, Shelby, Shurtleff, Vannerson—23.

The question was then taken on the adoption of said resolution,

And decided in the affirmative.

The committee appointed were Messrs. Richardson, Boyd, and Bingaman.

And then the House adjourned.

Thursday, January 31, 1833.

The House met pursuant to adjournment.

Mr. Boyd, from the select committee to whom was referred, the petition of the President and Directors of the West Feliciana Rail Road Company, praying that an act may be passed, extending the powers and privileges of said company—

Reported, that the committee had, according to order, had said peti-

tion under consideration, and had instructed him to report a bill to be entitled

An act further to extend the powers and privileges of the West Feliciana Rail Road Company, within this State, and for other purposes.

On motion of Mr. Boyd,

Ordered, that said report be received.

Whereupon,

Said bill was read the first time.

Mr. Beasley, according to notice given, asked and obtained leave to introduce a bill to be entitled

An act to unite the office of Assessor and Collector for Copiah county—

Which was read the first time.

The House, according to the order of the day, resumed in committee of the whole, the consideration of the bill to be entitled

An act to provide for the erection of public buildings, and selling a portion of the public lots in the town of Jackson—Mr. Dunbar again in the chair.

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Dunbar reported, that the committee of the whole House had, according to order, again had said bill under consideration, had made some further progress therein, but having come to no determination thereon, had instructed him to ask leave to sit again at 9 o'clock, A. M., on tomorrow.

On motion of Mr. Dunbar,

Ordered, that said report be received.

Whereupon,

On motion of Mr. Vannerson,

The House took a recess for thirty minutes.

12 O'CLOCK, MERIDIAN.

In accordance with a joint resolution of the two Houses, in relation to the election of a United States Senator, to fill the vacancy occasioned by the resignation of the Hon. Powhatan Ellis, and a Senator to Congress for six years from the fourth day of March next, the Senate were notified by the clerk, that the House of Representatives were ready to receive them in the Hall of the House.

And thereupon,

The Senate appeared and took the seats assigned them; when the two Houses proceeded to the election of a United States Senator, to fill the vacancy occasioned by the resignation of the Hon. Powhatan Ellis.

On counting the votes, it appeared that John Black had received a unanimous vote.

Whereupon,

The President announced to the two Houses, that John Black was duly and constitutionally elected a Senator in the Congress of the United States to fill said vacancy.

The two Houses then proceeded to the election of a Senator to the Congress of the United States, for six years from the 4th day of March next.

The following is the result of the vote:

For John Black.

Mr. Love,	Mr. McLeod.	
Smith,		Senators—3
Mr. Carter,	Mr. Edwards,	
Harper,	Martin,	
McRae,	McDonald,	
Morrison,	Powel,	
Ragan,	Shurtleff.	Representatives—10
		13

For James C. Wilkins.

Mr. President,	Mr. Gordon,	
Guion,	Morgan,	
Prosser,	Winston,	Senators—6
Mr. Barnes,	Mr. Beatie,	
Bell,	Bingaman,	
Dunbar,	Dixon,	
Shelby,	Stockton,	
Vance,	Vick.	
Vannerson,		Representatives—11
		17

For P. Rutilius R. Pray.

Mr. Ford,	Mr. Harris.	Senators—2
Mr. Allen,	Mr. Beasley,	
Bole,	Boyd,	
Brewer,	Demoss,	
Ellis,	Howard,	
Keegan,	Learned.	
Vannorman,		Representatives—11
		13
	Scattering,	3

Neither of the candidates having a majority, the two Houses again proceeded to vote; when the result was as follows:

For John Black.

Mr. Harris,	Mr. Love,	
McLeod,	Smith.	Senators—4
Mr. Carter,	Mr. Edwards,	

Harper,
McRae,
Morrison,
Ragan,

Martin,
McDonald,
Powel,
Shurtleff.

Representatives—10

14

For James C. Wilkins.

Mr. President,
Guion,
Prosser,
Mr. Barnes,
Bell,
Dunbar,
Richardson,
Stockton,
Vick,

Mr. Gordon,
Morgan,
Winston.

Senators—6

Mr. Beatie,
Bingaman,
Dixon,
Shelby,
Vance,
Vannerson.

Representatives—12

18

For P. Rutilius R. Pray.

Mr. Ford.
Mr. Allen,
Bole,
Demoss,
Howard,
Learned.

Mr. Beasley,
Brewer,
Ellis,
Keegan,
Vannorman.

Senator—1

Representatives—10

11

3

Scattering,

Neither of the candidates having a majority, the two Houses again proceeded to vote:—The following was the result:

For John Black.

Mr. Harris,
McLeod,
Mr. Speaker,
Edwards,
Martin,
McDonald,
Powel,
Shurtleff,

Mr. Love,
Smith.
Mr. Carter,
Harper,
McRae,
Morrison,
Ragan.

Senators—4

Representatives—11

15

For James C. Wilkins.

Mr. President,
Guion,
Prosser,
Mr. Barnes,

Mr. Gordon,
Morgan,
Winston.
Mr. Beatie,

Senators—6

Bell,
Dunbar,
Richardson,
Stockton,
Vick,

Bingaman,
Dixon,
Shelby,
Vance,
Vannerson. *Representatives*—12

—
13

For P. Rutilius R. Pray.

Mr. Ford.

Senator—1

Mr. Allen,
Bole,
Brewer,
Ellis,
Keegan,
Tucker,

Mr. Beasley,
Boyd,
Demoss,
Howard,
Learned,
Vannorman. *Representatives*—12

—
13

Neither of the candidates having a majority, the two Houses again proceeded to vote; when the result was found to be as above.

The two Houses then proceeded to vote again: The result was as last stated.

The two Houses proceeded again to vote, when the result was found to be as before.

The two Houses then proceeded to vote again; the result of which was as last stated.

The two Houses then proceeded again to vote; when the following was found to be the result:

For John Black.

Mr. Harris,
McLeod,
Mr. Speaker,
Edwards,
Martin,
McDonald,
Powel,
Shurtleff,

Mr. Love,
Smith.
Mr. Carter,
Harper,
McRae,
Morrison,
Ragan.

Senators—4

Representatives—11

—
15

For James C. Wilkins.

Mr. President,
Guion,
Prosser,
Mr. Barnes,
Bingaman,
Dixon,
Shelby,

Mr. Gordon,
Morgan,
Winston.
Mr. Beatie,
Dunbar,
Richardson,
Stockton,

Senators—6

Vance,
Vannerson,

Vick.

Representatives—11

17

For P. Rutilius R. Pray.

Mr. Ford,
Mr. Allen,
Bell,
Boyd,
Demoss,
Howard,
Learned,
Vannorman,

Mr. Beasley,
Bole,
Brewer,
Ellis,
Keegan,
Tucker.

Senator—1

Representatives 13

14

Neither of the candidates having a majority, the two Houses proceeded to vote again; when the result was found to be as last stated.

The two Houses then proceeded to vote again. The following was the result:

For John Black.

Mr. Harris,
McLeod,
Mr. Carter,
Harper,
McRae,
Morrison,
Ragan,

Mr. Love,
Smith,
Mr. Edwards,
Martin,
McDonald,
Powel,
Shurtleff.

Senators—4

Representatives 10

14

For James C. Wilkins.

Mr. President,
Guion,
Prosser,
Mr. Speaker,
Beatie,
Bingaman,
Dixon,
Shelby,
Vance,
Vannerson,

Mr. Gordon,
Morgan,
Winston.
Mr. Barnes,
Bell,
Dunbar,
Richardson,
Stockton,
Vick,

Senators—6

Representatives—13

19

For P. Rutilius R. Pray.

Mr. Ford,
Mr. Allen,
Bole,

Mr. Beasley,
Boyd,

Senator—1

Brewer,
Ellis,
Keegan,
Tucker,

Demoss,
Howard,
Learned,
Vannorman. *Representatives* 12

—
13

Neither of the candidates having a majority, the two Houses proceeded to vote again; when the result was found to be as last stated.

The two Houses then proceeded to vote again, when the result was found to be as before.

The Senate then, on motion of Mr. Harris, retired.

Whereupon,

On motion of Mr. Bingaman,

The House adjourned till 3 o'clock, P. M.

3 O'CLOCK, P. M.

The House met pursuant to adjournment—

When, on motion of Mr. Stockton, the Senate were notified by the clerk, that the House of Representatives were ready to receive them in the Hall of their House, to proceed again in joint meeting to vote for a Senator to the Congress of the United States, for the term of six years from the fourth day of March next.

Whereupon,

The Senate appeared in the Hall of the House; when the two Houses proceeded again to vote, and the following was found to be the result:

For John Black.

Mr. Harris,
McLeod,
Mr. Carter,
Harper,
McRae,
Morrison,
Ragan,

Mr. Love,
Smith. *Senators—4*
Mr. Edwards,
Martin,
McDonald,
Powel;
Shurtleff. *Representatives* 10

—
14

For James C. Wilkins.

Mr. President,
Guion,
Prosser,
Mr. Speaker,
Beatie,
Bingaman,
Dixon,
Shelby,
Vance,

Mr. Gordon,
Morgan,
Winston. *Senators—6*
Mr. Barnes,
Bell,
Dunbar,
Richardson,
Stockton,
Vick,

Vannerson,

REPRESENTATIVES—13

19

For P. Rutilius R. Pray.

Mr. Ford,
Mr. Allen,
Bole,
Brewer,
Ellis,
Keegan,
Tucker,

Mr. Higgason.
Mr. Beasley,
Boyd,
Demoss,
Howard,
Learned,
Vannorman.

Senators—2

REP'S.—12

14

Neither of the candidates having a majority, the two Houses again proceeded to vote,

The following was the result:

For John Black.

Mr. Harris,
McLeod,
Mr. Beasley,
Edwards,
Martin,
McDonald,
Powel,
Shurtleff.

Mr. Love,
Smith.
Mr. Carter,
Harper,
McRae,
Morrison,
Ragan,

SENATORS—4

REPRESENTATIVES—11

15

For James C. Wilkins.

Mr. President,
Guion,
Prosser,
Mr. Speaker,
Beatie,
Bingaman,
Dixon,
Richardson,
Stoekton,
Vick,

Mr. Gordon,
Morgan,
Winston.
Mr. Barnes,
Bell,
Dunbar,
Keegan,
Shelby,
Vance,

Senators—6

Vannerson Representatives 14

20

For P. Rutilius R. Pray.

Mr. Ford,
Mr. Allen,
Boyd,
Demoss,
Howard,

Mr. Higgason.
Bole,
Brewer,
Ellis,
Learned,

Senators—2

Tucker,

Vannorman *Representatives*—10—
12

Neither of the candidates having a majority, the two Houses proceeded again to vote. The following was the result:

For John Black.

Mr. Harris,
McLeod,
Mr. Carter,
Harper,
McRae,
Morrison,
Ragan,

Mr. Love,
Smith. *Senators*—4
Mr. Edwards,
Martin,
McDonald,
Powel,
Shurtleff. *Representatives*—10

—
14*For James C. Wilkins.*

Mr. President,
Guion,
Prosser,
Mr. Speaker,
Beatie,
Bingaman,
Dunbar,
Shelby,
Vance,
Vannerson,

Mr. Gordon,
Morgan,
Winston. *Senators*—8
Mr. Barnes,
Bell,
Dixon,
Richardson,
Stockton,
Vick.

Representatives—13—
19*For P. Rutilius R. Pray.*

Mr. Ford,
Mr. Allen,
Bole,
Brewer,
Ellis,
Keegan,
Tucker,

Mr. Higgason. *Senators*—2
Mr. Beasley,
Boyd,
Demoss,
Howard,
Learned,
Vannorman. *Representatives*—12

—
14

Neither of the candidates having a majority, the two Houses proceeded to vote again. The following is the result:

For John Black.

Mr. Harris,
McLeod,
Mr. Speaker,
Carter,
Harper,

Mr. Love,
Smith. *Senators*—4
Mr. Beasley,
Edwards,
Martin,

McRae,
Morrison,
Ragan,

McDonald,
Powel,
Shurtleff,

Representatives—12

—
16

For James C. Wilkins.

Mr. President,
Guion,
Prosser,
Mr. Barnes,
Dunbar,
Richardson,
Stockton,
Vick,

Mr. Gordon,
Morgan,
Winston,
Mr. Bingaman,
Dixon,
Shelby,
Vance,
Vannerson,

Senators—6

Representatives—10

—
16

For P. Rutilius R. Pray.

Mr. Ford,
Mr. Allen,
Bell,
Boyd,
Demoss,
Howard,
Learned,
Vannorman,

Mr. Higgason,
Mr. Beatie,
Bole,
Brewer,
Ellis,
Keegan,
Tucker,

Senators—2

REPS.—13

—
15

Neither of the candidates having a majority, the two Houses proceeded again to vote, when the following was found to be the result:

For John Black.

Mr. Harris,
McLeod,
Mr. Speaker,
Edwards,
Martin,
McDonald,
Powel,
Shurtleff,

Mr. Love,
Smith,
Mr. Carter,
Harper,
McRae,
Morrison,
Ragan.

SENATORS—4

REPS.—11

—
15

For James C. Wilkins.

Mr. President,
Guion,
Prosser,
Mr. Barnes,
Dunbar,

Mr. Gordon,
Morgan,
Winston,
Mr. Bingaman,
Dixon,

SENATORS—6

Richardson,
Stockton,
Vick,

Shelby,
Vance,
Vannerson.

REPS.—10

—
16

For P. Rutilius R. Pray.

Mr. Ford,
Mr. Allen,
Beatie,
Bole,
Brewer,
Ellis,
Keegan,
Tucker,

Mr. Higgason.
Mr. Beasley,
Bell,
Boyd,
Demoss,
Howard,
Learned,
Vannorman.

Senators—2

Representatives—14

—
16

Neither of the candidates having a majority, the two Houses proceeded to vote. The following was the result:

For John Black.

Mr. Harris,
McLeod,
Mr. Carter,
Harper,
McRae,
Ragan,

Mr. Love,
Smith.

Senators—4

Mr. Edwards,
Martin,
McDonald,
Shurtleff.

Representatives—8

—
12

For James C. Wilkins.

Mr. President,
Guion,
Prosser,
Mr. Speaker,
Bingaman,
Dixon,
Mr. Shelby,
Vance,
Vannerson,

Mr. Gordon,
Morgan,
Winston.

Senators—6

Mr. Barnes,
Dunbar,
Richardson,
Stockton,
Vick.

Representatives—11

—
17

For P. Rutilius R. Pray.

Mr. Ford,
Mr. Allen,
Beatie,
Bole,
Brewer,
Ellis,

Mr. Higgason.
Mr. Beasley,
Bell,
Boyd,
Demoss,
Howard,

Senators—2

Keegan,
Morrison,
Tucker,

Learned,
Powel,
Vannorman. *Representatives*-16

18

Neither of the candidates having a majority—

The Senate then, on motion of Mr. Harris, retired, by a vote of the Senate only.

Whereupon,

The following resolution was submitted by Mr. Bingaman:

Resolved, that the course just pursued by the Senate in retiring from this House after having met in pursuance of a joint resolution to go into the election of certain officers, is unparliamentary and out of order.

Whereupon,

A debate arose—

When the previous question was called for by Mr. Bingaman, and being demanded by a majority of the members present,

The said previous question was then put, viz:

Shall the main question be now put?

And decided in the affirmative.

The said main question was then put, viz:

Shall the said resolution be adopted?

And decided in the affirmative.

The following resolution was also submitted by Mr. Bingaman:

Resolved, with the concurrence of the Senate, that a committee of conference be appointed to consist of _____ members from this House, and _____ on the part of the Senate, to take into consideration the matter of the foregoing resolution, and report thereon.

On motion of Mr. McRae,

The rule requiring joint resolutions to lie one day on the table, was dispensed with, and said resolution proposed for adoption.

Whereupon,

On motion of Mr. Bingaman,

It was ordered, that the same do lie on the table.

The House then, on motion of Mr. Tucker, took a recess till 9 o'clock, A. M. to-morrow.

Friday, February 1, 1833.

9 O'CLOCK, A. M.

The following written message was received from the Senate, by Mr. Gilbert, their reading clerk:

MR. SPEAKER:

The Senate have passed a bill to authorize John W. Thompson, to build a toll bridge over Bayou Pierre; in which they desire the concurrence of the House of Representatives.

They have passed a bill from the House of Representatives, concerning highways, ferries and bridges in Claiborne and Warren counties; and have refused to pass the "resolution in relation to the public domain South and West of the old Choctaw line, in the State of Mississippi."

The Senate have passed resolutions from the House of Representatives, in reply to the resolutions from the States of Louisiana, Maine, New Hampshire and Pennsylvania, with amendments thereto; in which they desire the concurrence of this House.

And then he withdrew.

When, on motion of Mr. Dunbar,

It was ordered that the clerk inform the Senate that the House are ready to receive them, for the purpose of proceeding in the election of a Senator to the Congress of the United States, for the term of six years from the fourth day of March next, in pursuance of a joint resolution adopted by both Houses.

It was then moved by Mr. McDonald, that the House adjourn till two o'clock, P. M.

And the question being taken thereon,

It was decided in the negative.

The House then, on motion of Mr. Barnes, took a recess till 2 o'clock, P. M.

2 O'CLOCK, P. M.

On motion of Mr. Bingaman,

Ordered, that the resolutions submitted by him on yesterday, in relation to the Senate, and the action of the House thereon, be stricken from the journal.

It was then moved by Mr. Tucker,

That the election for a Senator to the Congress of the United States for six years from the fourth day of March next, be postponed until Monday next.

Whereupon,

The Speaker decided said motion out of order.

Mr. Vannorman moved that the words "by a vote of the Senate only" be added after the word "retired" to the insertion on the Journal of yesterday, of the retirement of the Senate from the Representative Hall.

And the question being taken thereon,

It was decided in the affirmative.

Mr. Bole moved a reconsideration of the vote taken on the motion made by Mr. Bingaman, to strike from the Journal the resolutions submitted by him on yesterday, in relation to the Senate, and the action of the House thereon;

And the question being taken thereon,
It was decided in the affirmative.

The question then recurred on Mr. Bingaman's motion, to have said resolutions, with the action of the House thereon, stricken from the Journal.

And after debate—

The previous question was called for by Mr. Barnes, and being demanded by a majority of the members present,

The said previous question was then put, viz:

Shall the main question be now put?

And decided in the affirmative.

The said main question was then put, viz:

Shall the said resolutions and the action had thereon by the House, be stricken from the Journal?

And decided in the negative.

YEAS 14—NAYS 16.

The yeas and nays being demanded by three of the members present,

Those who voted in the affirmative are—

Messrs. Speaker, Barnes, Bingaman, Dunbar, Dixon, Edwards, Harper, Keegan, McDonald, Powel, Ragan, Richardson, Shelby, Stockton—14.

Those who voted in the negative are—

Messrs. Allen, Beasley, Beatie, Bell, Bole, Brewer, Demoss, Ellis, Howard, Learned, Martin, Shurtleff, Tucker, Vance, Vannerson, Vannorman—16.

Mr. Harper submitted the following resolution:

Resolved, that with the concurrence of the Senate, the two Houses do adjourn, *sine die*, on Saturday the 9th instant:

Mr. Dixon moved to reject said resolution.

And the question being taken thereon,

It was also decided in the negative.

On motion of Mr. Demoss,

Ordered, that Mr. Morrison and Mr. McRae be excused from farther attendance on the House until Monday next; and

On motion of Mr. Dixon,

It was ordered that Mr. Beatie be also excused from his attendance on the House for the same time.

Mr. Brewer moved that the House adjourn.

And the question being taken thereon,

It was decided in the negative.

On motion of Mr. Vannerson,

The House proceeded to the consideration of the message received from the Senate on this day.

Whereupon,

The bill to be entitled

An act to authorize John W. Thompson to build a bridge over the main Bayou Pierre—

Was read the first time.

The amendments to the report of the select committee on the resolutions from the States of Louisiana, Maine and New Hampshire, were then read and concurred in by the House.

Ordered, that the clerk acquaint the Senate therewith.

By leave of the House, Mr. Powel presented the petition of Charles Holland and John R. Little, praying the passage of an act extending to them relief for arrearages due them for the completion of the Jail and Court House of Jackson county.

On motion of Mr. Powel,

Ordered, that said petition be referred to the committee on Propositions and Grievances.

The House, according to the order of the day, resumed in committee of the whole the consideration of the bill to be entitled

An act to provide for the erection of public buildings, and selling a portion of the public lots in the town of Jackson—Mr. Dunbar again in the chair.

And after some time spent therein,

The Speaker resumed the chair, when

Mr. Dunbar reported, that the committee of the whole House had again had under consideration said bill, had made sundry amendments thereto, and had instructed him to report the same as amended.

On motion of Mr. Dunbar,

Said report was received; and

On motion of Mr. Tucker,

The same was agreed to.

On motion of Mr. Bingaman,

Ordered, that said bill be engrossed and made the order of the day for a third reading on to-morrow.

And then the House adjourned.

Saturday, February 2d, 1833.

The House met pursuant to adjournment.

Mr. Powel presented the petition of sundry citizens of Simpson county and territory adjoining thereto, praying the passage of an act granting to them an acquisition of territory.

Mr. Ragan moved that said petition be rejected.

Whereupon,

On motion of Mr. Howard,

It was ordered, that the same do lie on the table.

Mr. Bell presented the petition of sundry citizens of Monroe county, praying the passage of an act reducing the fees of certain officers.

Mr. Bell moved that said petition be referred to the committee on the judiciary.

Mr. Harper moved that the same do lie on the table.

And the question being taken thereon,

It was decided in the affirmative.

On motion of Mr. Howard,

The House proceeded in committee of the whole, to consider the bill to be entitled

An act to repeal the fortieth chapter of the laws of the state of Mississippi, passed December 19th, 1831, Mr. Harper in the chair,

And after some time spent therein,

The Speaker resumed the chair, when

Mr. Harper reported, that the committee of the whole had, according to order, had said bill under consideration, had made an amendment thereto, and had instructed him to report the same as amended.

On motion of Mr. Harper,

Said report was received, and

On motion of Mr. Keegan,

The same was agreed to.

Whereupon,

On motion of Mr. Howard,

Ordered, that said bill be engrossed and made the order of the day for a third reading on Monday next.

The engrossed bills entitled, to wit:

An act to amend an act entitled an act for the relief of Alexander Willis, approved 8th December, 1831.

An act to dissolve the bonds of matrimony, heretofore subsisting between Charles Necaise and Zine Necaise, of the county of Hancock; and

An act to incorporate the Baptist church, called Ebenezer, in Amite county,

Were severally read the third time, and passed with their titles as stated.

Ordered, that the clerk carry said bills to the Senate, and request their concurrence therein.

Mr. Stockton, from the joint committee on enrolled bills, made the following report:

MR. SPEAKER:

The joint committee on enrolled bills, have this day examined

A report of the select-committee on the resolutions from the states of Louisiana, Maine, New Hampshire and Pennsylvania.

An act to repeal an act entitled "an act to amend an act concerning highways, ferries and bridges in Claiborne and Warren counties."

And have found the same correctly enrolled.

The Speaker signed the same.

Ordered, that they be carried to the Senate, for the signature of the President thereof.

The engrossed bill to be entitled

An act to provide for the erection of a State House and other public buildings in the town of Jackson, and for the sale of public lots in said town, and for other purposes,

Was read the third time.

Mr. Vannorman moved the following amendment to said bill, by way of rider:

And be it further enacted, that it shall be the duty of the Secretary of State, to cause this act to be published in three newspapers in this State, at least three months previous to the general election, to be held in November next; and the same shall be submitted to the next legislature of this State, in accordance with the ninth section of the seventh article of the constitution.

Whereupon,

Said rider was read the first time.

It was then moved by Mr. Stockton, that the same be rejected—

When a debate arose.

And the previous question was called for by Mr. Stockton, and being demanded by a majority of the members present—

The said previous question was then put, viz:

Shall the main question be now put?

And decided in the affirmative.

The said main question was then put, viz:

Shall said rider be rejected?

And decided in the affirmative.

YEAS 21—NAYS 7.

The yeas and nays being demanded by three of the members present:

Those who voted in the affirmative are—

Messrs. Speaker, Allen, Barnes, Beasley, Bingaman, Bole, Boyd, Harper, Howard, Keegan, Learned, Martin, Ragan, Richardson, Shelby, Shurtleff, Stockton, Tucker, Vance, Vick, Vannerson—21.

Those who voted in the negative are—

Messrs. Bell, Carter, Dunbar, Edwards, Ellis, McDonald, Vannorman—7.

The question then recurred on the passage of said bill.

And after debate—

The previous question was called for by Mr. Harper, but was not demanded by a majority of the members present.

Whereupon,

A debate again arose, which continued at some length,

When the question was taken on the passage of said bill,

And decided in the affirmative.

YEAS 17—NAYS 13.

The yeas and nays being demanded by three of the members present:

Those who voted in the affirmative are—

Messrs. Allen, Barnes, Beasley, Bingaman, Boyd, Brewer, Harper,

Howard, Keegan, Learned, Martin, Powel, Ragan, Richardson, Shurtleff, Stockton, Vannerson—17.

Those who voted in the negative are—

Messrs. Speaker, Bell, Bole, Carter, Dunbar, Edwards, Ellis, McDonald, Shelby, Tucker, Vance, Vick, Vannorman—13.

The Speaker then announced to the House that said bill had passed.

Whereupon,

An appeal was taken to the House from said decision by Mr. Tucker, inasmuch as two thirds of the members present did not vote in favor of the passage of said bill.

Another debate arose—

When the previous question was called for by Mr. Harper, and being demanded by a majority of the members present,

The said previous question was then put, viz:

Shall the main question be now put?

And decided in the affirmative.

The said main question was then put, viz:

Shall the decision of the chair stand as the decision of the House?

And decided in the affirmative.

YEAS 25—NAYS 4.

The yeas and nays being called for by three of the members present:

Those who voted in the affirmative are—

Messrs. Allen, Barnes, Beasley, Bingaman, Boyd, Brewer, Carter, Dunbar, Edwards, Ellis, Harper, Howard, Keegan, Learned, Martin, McDonald, Powel, Ragan Richardson, Shelby, Shurtleff, Stockton, Vance, Vick, Vannerson—25.

Those who voted in the negative are—

Messrs. Bell, Bole, Tucker, Vannorman—4.

The question was then taken on the title of said bill, and decided that the same be as stated.

Ordered, that the clerk carry said bill to the Senate, and request their concurrence therein.

A message from the Senate, by Mr. Gilbert, their reading clerk:

MR. SPEAKER:

The Senate have passed a bill from the House of Representatives to be entitled

An act to authorize Henry Dillard to keep a toll bridge over the Habo-lachitto in the county of Hancock.

The Senate have also passed a resolution expressive of their opinion that, according to the rules for the government of that body, they cannot again meet the House of Representatives to elect a Senator to the Congress of the United States, until a joint Resolution of both Houses be agreed to.

And then he withdrew.

A message from the Governor, by Mr. A. Albert Allen, his private Secretary:

MR. SPEAKER:

I am requested by His Excellency the Governor, to inform this House that he has this day approved and signed the following bills, to wit:

An act to amend "an act, to permit the citizens of Jackson county, to select a permanent Seat of Justice for said county, and for other purposes, approved December 15th, 1830."

An act to amend an act entitled "An act, to authorize the raising, by way of lottery, a sum of money for the purpose of opening and improving the navigation of Big Black."

An act further to incorporate the school commissioners for fractional township, No. 1, range 4, West of the basis meridian.

An act to dispense with the time prescribed by law for Gibson C. Hedrick, of Claiborne county, attaining the age of majority.

An act to establish a permanent Seat of Justice in the county of Hancock.

An act to revive and continue the provisions of an act entitled "An act to authorize Zachariah Lee, to erect and keep a toll bridge over Leaf River, approved December 15th, 1830." And,

An act to incorporate Yazoo Academy, and for other purposes.

All of which originated in this House.

And then he withdrew.

On motion of Mr. Shelby,

Mr. Dixon was excused from further attendance on the House until Monday next.

Mr. Howard moved that the House adjourn until 9 o'clock, A. M., on Monday next.

And the question being taken thereon,

It was decided in the negative.

Whereupon,

On motion of Mr. McDonald,

The House adjourned till 2 o'clock, P. M.

2 O'CLOCK, P. M.

The House met pursuant to adjournment—

And on motion of Mr. Howard, adjourned.

Monday, February 4, 1833.

The House met pursuant to adjournment—

Messrs. Morrison and McRae appeared and took their seats in the Hall.

Mr. Demoss presented the petition of the members of Raymond Lodge,

No. 21, of free and accepted masons, praying the passage of an act, incorporating said Lodge, by the name and style of Raymond Lodge No. 21.

On motion of Mr. Demoss,

Ordered, that said petition be referred to a select committee of three members, with leave to report by bill or otherwise;

And in pursuance thereto,

Messrs. Demoss, Morrison and Bole were appointed.

Mr. Carter presented the petition of Elias Newell, of the county of Perry, praying the passage of an act, nullifying a deed of gift made by him to his son Derrill Y. Newell.

Mr. Carter moved that said petition be referred to a select committee of three members, with leave to report by bill or otherwise.

Whereupon,

On motion of Mr. Harper,

It was ordered, that the same do lie on the table.

Mr. Bell presented the petition of sundry citizens of township 12, range 16, in the county of Monroe, praying the passage of an act, authorizing the voters thereof, to decide by ballot, whether the school lands in said township shall be sold or leased.

On motion of Mr. Bell,

Ordered, that said petition be referred to the committee on school lands.

Mr. McRae from the committee on revisal and unfinished business,

Reported, that the committee had had the same under consideration, and finding nothing that they think worthy of report, had instructed him to ask to be discharged from the further consideration of the same.

On motion of Mr. Rae,

Ordered, that said report be received and agreed to.

Mr. Bell, from the select committee to whom was referred the petition of Stephen Cocke and others, praying the passage of an act, allowing Joel White's compensation for opening a road from Martin's Bluff, on the Tombigby River, to the Eastern boundary of Madison county—

Reported, that the committee had had the same under consideration, and instructed him to report a bill to be entitled

An act for the relief of Joel White.

On motion of Mr. Bell,

Ordered, that said report be received.

Whereupon,

Said bill was read the first time.

Mr. Harper moved that said bill be rejected.

And the question being taken thereon,

It was decided in the negative.

Mr. Vick, from the select committee to whom was re-committed the bill to be entitled

An act, to incorporate the Mississippi Insurance Company, at Vicksburg—

Reported, that the committee had, according to order, had said bill under consideration, had made an amendment thereto, and had instructed him to report the same as amended.

On motion of Mr. Vick,

Ordered, that said report be received and agreed to.

On motion of Mr. Vick,

Ordered, that said bill be recommitted to the committee of the whole House, and made the order of the day for to-morrow.

Mr. Vannerson, from the joint select committee to whom was referred the fifth article of the Constitution—

Reported, that the committee had had the same under consideration, and had instructed him to report a bill to be entitled

An act to provide for the election of certain officers therein named.

On motion of Mr. Vannerson,

Ordered, that said report be received.

Whereupon,

Said bill was read the first time.

Mr. Tucker presented the petition of the Trustees of Franklin Academy, in the town of Columbus, and county of Lowndes, praying the passage of an act, changing the charter of incorporation of said institution, relative to the appointment of Trustees.

On motion of Mr. Tucker,

Ordered, that said petition be referred to a select committee of three members, with leave to report by bill or otherwise.

And in pursuance thereto,

Messrs. Tucker, Bell and Howard were appointed.

Mr. Carter asked and obtained leave to introduce a bill to be entitled

An act to authorize the board of county police of Perry county, to levy a special tax, and for other purposes—

Which was read the first time.

Mr. Harper submitted the following resolution:

Resolved, that the door-keeper of this House be instructed to search for and obtain the inkstands, paper and quills, taken from this House, during the recess, by any person or persons, other than members of this House, and return the same, with a statement where the articles above mentioned were found.

Mr. Tucker moved that the same be rejected.

And the question being taken thereon,

It was decided in the negative.

Whereupon,

On motion of Mr. Tucker,

Said vote was re-considered.

And the question being taken again on the motion to reject said resolution,

It was decided in the affirmative.

Mr. Bole asked and obtained leave to introduce a resolution to dissolve

the bonds of matrimony heretofore subsisting between Washington Ellington and Sally Ellington—

Which was read the first time.

Mr. Morrison gave notice that he will, on to-morrow, ask leave to introduce a bill to be entitled

An act to authorize the drawing a Lottery in the town of Clinton, for building a Masonic Hall.

Mr. Ragan asked and obtained leave to introduce a bill to be entitled

An act to levy a special tax in the county of Covington, and for other purposes—

Which was read the first time.

The engrossed bill to be entitled

An act, to incorporate the officers and members of Western Star Lodge, No. 20, duly authorized and established on Society Ridge, Hinds county, by a charter from the Grand Lodge of the State of Mississippi—

Was read the third time, and passed with its title as stated.

Ordered, that the clerk acquaint the Senate therewith, and desire their concurrence therein.

The engrossed bill to be entitled

An act, to repeal the 40th chapter of the laws of the State of Mississippi, passed December 19th, 1831—

Was read the third time and passed.

Mr. Howard moved to amend the title thereof, as follows:

Strike out the word "repeal," and insert in lieu thereof the word "amend," and add at the end of the title, the words "and for other purposes."

And the question being taken thereon,

It was decided in the affirmative.

The question was then taken on the title of said bill as amended,

And decided in the affirmative.

Ordered, that the clerk carry said bill to the Senate, and request their concurrence therein.

The House, according to the order of the day, resolved itself into a committee of the whole, on the resolution from the Senate, for the relief of the heirs of Samuel C. Wooldridge, deceased--

Mr. Boyd in the chair,

And after some time spent therein,

The Speaker resumed the chair, when

Mr. Boyd reported, that the committee of the whole House had, according to order, had said resolution under consideration, and had instructed him to report the same without amendment.

On motion of Mr. Boyd,

Ordered, that said report be received and agreed to.

On motion of Mr. Keegan,

Ordered, that said resolution be made the order of the day for a third reading on to-morrow.

The House, according to the order of the day, resolved itself into a committee of the whole, on the bill to be entitled

An act to abolish certain punishments; Mr. Morrison in the chair—

And after some time spent therein,

The Speaker resumed the chair, when

Mr. Morrison reported, that the committee of the whole House had, according to order, had said bill under consideration, had made an amendment thereto, and had instructed him to report the same as amended.

On motion of Morrison,

Said report was received; and

On motion of Mr. Keegan,

The same was agreed to.

Whereupon,

On motion of Mr. Keegan,

It was ordered that said bill be indefinitely postponed.

YEAS 18—NAYS 14.

The yeas and nays being demanded by three of the members present:

Those who voted in the affirmative are—

Messrs. Allen, Beasley, Bell, Bole, Brewer, Carter, Edwards, Ellis, Harper, Keegan, Learned, Martin, Morrison, Powel, Ragan, Shelby, Tucker, Vance—18.

Those who voted in the negative are—

Messrs. Speaker, Barnes, Bingaman, Boyd, Demoss, Dixon, Howard, McRae, Richardson, Shurtleff, Stockton, Vick, Vannerson, Vannorman—14.

A message from the Senate, by Mr. Gilbert, their reading clerk.

MR. SPEAKER:

The Senate have passed a resolution requesting the representatives of this State in the Congress of the United States, to use their efforts to cause the Post Office at Jackson, to be made a distributing office; in which resolution I am instructed to ask the concurrence of this House.

And then he withdrew.

Whereupon,

Said resolution was read the first time.

Mr. Stockton, from the joint committee on the enrolled bills, made the following report:

MR. SPEAKER:

The joint committee on enrolled bills have this day examined a bill entitled

An act to authorise Henry Dillard to keep a toll bridge over the Habo-lochitto, in the county of Hancock,

And have found the same correctly enrolled.

The Speaker signed said bill.

Ordered, that the clerk carry it to the Senate for the signature of the President thereof.

Mr. Vannorman submitted the following resolution:

Resolved, with the concurrence of the Senate, that the following rule

be adopted for the government of the two Houses, when convened jointly on any occasion.

It shall be the duty of the President of the Senate to address the joint Houses on the subject for which they were convened, and all motions made by a member of either House, shall be determined by a majority of both Houses, and the decision of the same shall be pronounced by the President of the Senate.

On motion of Mr. Vannormon,

The rule requiring joint resolutions to lie one day on the table was dispensed with, and said resolution was read a second time forthwith, and adopted.

Ordered, that the clerk carry said resolution to the Senate, and desire their concurrence therein.

Mr. Keegan asked and obtained leave to introduce a resolution to dissolve the bonds of matrimony heretofore subsisting between James Ray and Louisa Ray.

Which was read the first time;

And then on motion, the House adjourned till 2 o'clock, P. M.

2 O'CLOCK, P. M.

The House met pursuant to adjournment.

Mr. Beatie appeared and took his seat in the Hall.

The House, according to the order of the day resolved itself into a committee of the whole, on the bill to be entitled

An act to incorporate the town of Clinton, in the county of Hinds; Mr. Richardson in the chair,

And after some time spent therein,

The Speaker resumed the chair, when

Mr. Richardson, reported that the committee of the whole House had, according to order, had said bill under consideration, had made an amendment thereto, and had instructed him to report the same as amended.

On motion of Mr. Richardson,

Ordered that said report be received.

On motion of Mr. Morrison,

Ordered, that said bill be committed to a select committee of three members.

And in pursuance thereto,

Messrs. Morrison, Demoss and Vannerson, were appointed.

A message from the Senate, by Mr. Gilbert, their reading clerk.

MR. SPEAKER:

The Senate have passed a bill to be entitled

An act to amend an act entitled "an act to establish a Planters' Bank in the State of Mississippi, approved February 10, 1830," and the acts supplemental thereto.

The bill to be entitled

An act to emancipate Charles Favre, a mulatto boy resident in the county of Hancock, was lost in the Senate on its final passage.

Which two bills originated in this House.

And then he withdrew.

The House according to the order of the day, resolved itself into a committee of the whole on the bill to be entitled

An act to reduce into one the several acts relative to strays and drovers, horses, cattle, and other stock, and directing stock marks and brands to be recorded; Mr. Tucker in the chair—

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Tucker reported that the committee of the whole House had according to order, had said bill under consideration, had made an amendment thereto, and had instructed him to report the same as amended.

On motion of Mr. Tucker,

Ordered, that said report be received.

Mr. Harper moved that said bill be indefinitely postponed.

Whereupon,

On motion of Mr. Bingaman,

It was ordered that the same do lie on the table.

The House according to the order of the day, resolved itself into a committee of the whole on the bill to be entitled

An act to authorize the building a toll bridge over Yellow Busha; Mr. Boyd in the chair—

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Boyd reported that the committee of the whole House had, according to order, had said bill under consideration, had made an amendment thereto, and had instructed him to report the same as amended.

On motion of Mr. Boyd,

Ordered, that said report be received and agreed to.

On motion of Mr. Vannerson,

Ordered, that said bill be engrossed and made the order of the day for a third reading on to-morrow.

The House according to the order of the day, resolved itself into a committee of the whole on the bill to be entitled

An act to alter and amend the second section of the seventh article of the Constitution, under the head or title, "Slaves;" Mr. Barnes in the chair—

And after some time spent therein,

The Speaker resumed the chair, when

Mr. Barnes reported that the committee of the whole House had, according to order, had said bill under consideration, had made sundry amendments thereto, and had instructed him to report the same as amended.

On motion of Mr. Barnes,

Said report was received; and

On motion of Mr. Morrison,

The same was agreed to.

On motion of Mr. Vannerson,

Ordered, that said bill be engrossed and made the order of the day for a third reading on to-morrow.

The House according to the order of the day, resolved itself into a committee of the whole on the bill to be entitled

An act to repeal an act entitled "an act to repeal so much of the act entitled an act to authorize the County courts of the several counties therein named, to make allowance to clerks of elections, approved February 8th, 1827, as relates to the counties of Wilkinson and Jefferson, and for other purposes;" Mr. Howard in the chair—

And after some time spent therein.

The Speaker resumed the chair, when

Mr. Howard reported that the committee of the whole House had, according to order, had said bill under consideration, had made an amendment thereto, and had instructed him to report the same as amended.

On motion of Mr. Howard,

Ordered, that said report be received.

On motion of Mr. Bingaman,

Ordered, that said bill lie on the table.

Mr. Brewer submitted the following resolution:

Resolved, with the concurrence of the Senate, that the *per diem* pay of each member of both Houses of the Legislature cease after Saturday, the 16th instant.

The bill to be entitled

An act concerning the powers and Jurisdiction of the Circuit courts of law in this State, was in order for a committee of the whole House.

On motion of Mr. Keegan,

Ordered, that the order on said bill be postponed until to-morrow.

A motion was then made by Mr. Vanporman, that the House adjourn.

And the question being taken thereon,

It was decided in the negative.

The House according to the order of the day, resolved itself into a committee of the whole on the bill to be entitled

An act to incorporate the Pearl river Academy, in the county of Madison; Mr. Carter in the chair.

And after some time spent therein,

The Speaker resumed the chair, when

Mr. Carter reported, that the committee of the whole House, had according to order, had said bill under consideration, had made an amendment thereto, and had instructed him to report the same as amended.

On motion of Mr. Carter,

Ordered, that said report be received and agreed to.

On motion of Mr. Boyd,

Ordered, that said bill be engrossed and made the order of the day for a third reading on to-morrow.

On motion of Mr. Shurtleff, the House proceeded to the consideration of the bill to be entitled

An act more effectually to provide for the prosecution of suits upon bonds, bills, obligations, bills of exchange, promissory notes, and other writings for the payment of money.

Whereupon,

On motion of Mr. Shurtleff,

Ordered, that said bill be made the order of the day for a second reading on to-morrow.

On motion of Mr. Demoss,

The House proceeded to the consideration of the bill to be entitled

An act to authorize William Hawes to sell a tract of land therein mentioned.

Whereupon,

On motion of Mr. Demoss,

Ordered, that said bill be made the order of the day for a second reading on to-morrow.

It was then moved by Mr. Howard,

That the House adjourn.

And the question being taken thereon,

It was decided in the negative.

Mr. Beatie asked and obtained leave to withdraw the account of John Carson, which was disallowed by the committee on claims, and ordered to lie on the table.

It was then moved by Mr. McRae, that the House adjourn;

And the question being taken thereon,

It was decided in the negative.

The House, according to the order of the day, resolved itself into a committee of the whole on the bill to be entitled

An act for the relief of John Thompson; Mr. Demoss in the chair,

And after some time spent therein,

The Speaker resumed the chair, and

Mr. Demoss reported that the committee of the whole House had, according to order, had said bill under consideration, and instructed him to report them same without amendment.

On motion of Mr. Demoss,

Ordered, that said report be received and agreed to.

On motion of Mr. Bell,

Ordered, that said bill be engrossed, and made the order of the day for a third reading on to-morrow.

And then the House adjourned.

Tuesday, February 5, 1833.

The House met pursuant to adjournment.

Mr. Boyd moved that the resolution introduced by Mr. Harper, in relation to the ink stands, paper, &c. together with the proceedings of the House thereon, be stricken from the Journal;

And the question being taken thereon,

It was decided in the negative.

Mr. Stockton, from the joint committee on enrolled bills made the following report:

MR. SPEAKER:

The joint committee on enrolled bills have this day examined

An act further to amend an act entitled "an act to establish a Planters' Bank in the State of Mississippi, approved February 10, 1830," and the acts supplemental thereto, and have found the same correctly enrolled.

The Speaker signed said bill.

Ordered, that the clerk carry it to the Senate for the signature of the President thereof.

Mr. Bell, from the joint committee on claims made the following report:

MR. SPEAKER:

The joint committee on claims to whom was referred the petition of James L. Jolly, have had the same under consideration, and have instructed me to report, that they are of opinion the law now in existence as amply sufficient to enable him to obtain a reasonable compensation for the services he has performed without any further legislation on the subject.

The same committee have taken into consideration the petition of James Butler, H. B. Whitworth and J Burnley, and have instructed me to report, that they are of opinion the request contained in the petition is of such a nature, as ought not to be granted; that it would set a precedent which ought not to receive the sanction of this, nor any subsequent legislature. The Executive of this State they believe to be vested with ample power to grant such relief to the petitioners as will be right and proper, upon timely application.

On motion of Mr. Bell,

Ordered, that said report be received and agreed to, and that the same do lie on the table.

Whereupon,

Mr. Ragan asked and obtained leave to withdraw the petition of James L. Jolly.

Mr. Morrison, from the select committee to whom was referred the bill to be entitled

An act to incorporate the town of Clinton, in the county of Hinds, reported that the committee had according to order, had the same under consideration, had made an amendment thereto, and had instructed him to report the same as amended.

On motion of Mr. Morrison,

Ordered, that said report be received.

Whereupon,

Said amendment was read and concurred in by the House.

On motion of Mr. Morrison,

Ordered, that said bill be engrossed and made the order of the day for a third reading on to-morrow.

Mr. Boyd, from the select committee to whom was referred the bill to be entitled

An act to authorize the Board of County Police of the several counties in this State to lease the school lands within the limits of the same, and for other purposes—

Reported, that the committee had according to order, had said bill under consideration, had made an amendment thereto; and had instructed him to report the same as amended.

On motion of Mr. Bell,

Ordered, that said report be received.

Whereupon,

Said amendment was read and concurred in by the House.

On motion of Mr. Howard,

Ordered, that said bill be re-committed to the committee of the whole, and made the order of the day for to-morrow.

Mr. Barnes, asked and obtained leave to introduce a bill to be entitled
An act for the incorporation of the town of Grand Gulf, in the county of Claiborne.

Which was read the first time.

Mr. Vick, asked and obtained leave to introduce a bill to be entitled,
An act to incorporate the Big Black bridge and Turnpike Road Company.

Which was read the first time.

A message from the Senate, by Mr. Gilbert, their reading clerk:

MR. SPEAKER:

The President of the Senate has signed bills of the titles following to wit:

An act to repeal an act, entitled "An act to amend an act, concerning highways, ferries and bridges in Claiborne and Warren counties."

An act to authorize Henry Dillard to keep a toll bridge over the Habo-lachitto, in the county of Hancock.

Which two bills originated in this House.

The President of the Senate has also signed a report of the select committee on the resolutions from the States of Louisiana, Maine, New Hampshire and Pennsylvania, which report likewise originated in this House.

And then he withdrew.

Mr. Vannerson asked and obtained leave to introduce a bill to be entitled

An act, to amend an act entitled "An act, to regulate the taking of

documentary testimony in certain cases; and for other purposes, approved 13th, December, 1830."

Which was read the first time.

Mr. Morrison asked and obtained leave to introduce a bill to be entitled

An act, to authorize the drawing a Lottery in the town of Clinton, for building a Masonic Hall.

Which was read the first time.

On motion of Mr. Boyd,

The House proceeded to consider the bill to be entitled

An act, to reduce into one the several acts concerning the mode of election, and jurisdiction of Justices of the Peace in this State.

Whereupon,

On motion of Mr. Boyd,

Ordered, that said bill be made the order of the day for a second reading on to-morrow.

On motion of Mr. Dunbar,

The House proceeded to consider the bill to be entitled

An act to establish "The Agricultural Bank of Mississippi."

Whereupon,

Said bill was read the second time.

On motion of Mr. Dunbar,

Ordered, that said bill be committed to a committee of the whole House, and made the order of the day for to-morrow at 11 o'clock, A. M.

A message from the Senate, by Gilbert, their reading Clerk.

MR. SPEAKER:

The President of the Senate has signed a bill, to be entitled

An act, further to amend an act entitled "An act to establish a Planters Bank in the State of Mississippi, approved February 10th, 1830, and the acts supplemental thereto."

And then he withdrew.

On motion of Mr. Howard,

The House proceeded in committee of the whole, to consider the bill to be entitled

An act, concerning the powers and jurisdiction of the Circuit Courts of law in this State.

Mr. Shelby in the chair,

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Shelby reported that the committee of the whole House had, according to order, had said bill under consideration, but having come to no determination thereon, had instructed him to report progress, and ask leave to sit again on to-morrow.

On motion of Mr. Shelby,

Ordered, that said report be received and agreed to.

On motion of Mr. Stockton,

The House proceeded to consider the bill from the Senate, to be entitled

An act, to organize and establish Circuit Courts, and to define their powers and jurisdiction in law and equity.

Mr. Howard moved that the House forthwith resolve itself into a committee of the whole on said bill.

Mr. Tucker moved that said bill be committed to a committee of the whole House, and made the order of the day for Friday next.

And the question being taken thereon,

It was also decided in the negative.

The question was then taken on Mr. Howard's motion, to commit said bill to a committee of the whole forthwith,

And decided in the affirmative.

Whereupon,

The House went into committee of the whole on said bill;

Mr. Dunbar in the chair,

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Dunbar reported, that the committee of the whole House had, according to order, had said bill under consideration, but having come to no determination thereon, had instructed him to report progress and ask leave to sit again at 2 o'clock, P. M. on this day.

On motion of Mr. Dunbar,

Ordered, that said report be received and agreed to.

And then the House adjourned till 2 o'clock, P. M.

2 O'CLOCK, P. M.

The House met pursuant to adjournment.

Mr. Bole presented the petition of Hezekiah F. Harrington, praying the passage of an act, authorizing him to make sale of a certain tract of land herein mentioned.

On motion of Mr. Bole,

Ordered, that said petition be referred to a select committee of three members, with leave to report by bill or otherwise.

And in pursuance thereto,

Messrs. Bole, Tucker and Martin were appointed.

The House, according to the order of the day resumed in committee of the whole, the consideration of the bill from the Senate, to be entitled

An act to organize and establish Circuit Courts, and to define the powers and jurisdiction in law and equity; Mr. Dunbar again in the chair,

And after some time spent therein,

The Speaker resumed the chair, when

Mr. Dunbar reported that the committee of the whole House had again under consideration said bill, had made some progress therein, but having come to no determination thereon, had instructed him to ask leave to sit again, on to-morrow at 9 o'clock, A. M.

On motion of Mr. Dunbar,

Ordered, that said report be received and agreed to.

The following written message was received from His Excellency the Governor, by Mr. Allen, his private Secretary, which

On motion of Mr. Vannerson, was ordered to lie on the table.

EXECUTIVE CHAMBER,

Jackson, February 5, 1833. }

Gentlemen of the Senate and

House of Representatives—

I herewith transmit for your consideration, the report of the commissions appointed in pursuance of a resolution of the last General Assembly, to propose "a plan for a Penitentiary, suited to the wants of the State, accompanied by an estimate of the probable expense of constructing the same;" and also resolutions adopted by the legislatures of the States of New Hampshire, North Carolina and Illinois.

All of which are respectfully submitted.

A. M. SCOTT.

Mr. Stockton, from the joint committee on enrolled bills, made the following report:

MR. SPEAKER:

The joint committee on enrolled bills have this day presented to the Governor, for his approbation and signature,

A report of the select committee on the resolutions from the States of Louisiana, Maine, New Hampshire and Pennsylvania, and

An act to repeal an act entitled "an act concerning highways, ferries and bridges, in Claiborne and Warren counties."

An act to authorise Henry Dillard to keep a toll bridge over the Habo-lochitto, in the county of Hancock.

An act further to amend an act entitled "an act to establish a Planter's Bank in the State of Mississippi," approved February 10, 1830, and the acts supplemental thereto.

On motion of Mr. Demoss,

The House proceeded to the consideration of the message received from His Excellency the Governor on this day.

Whereupon,

The said message was read, and after some progress made in the reading of the accompanying documents, it was ordered,

On motion of Mr. Tucker,

That the reading of the remainder of said documents be dispensed with.

On motion of Mr. Boyd,

The vote taken on dispensing with the reading of the remainder of said documents, was reconsidered, and the same were read.

On motion of Tucker,

It was ordered that so much of the documents accompanying the said message as relates to a Penitentiary, be referred to the committee on ways and means.

Mr. Boyd moved that the clerk have five hundred copies of the said documents in relation to a Penitentiary, printed.

Mr. Tucker moved that one thousand copies thereof be printed;

And the question being taken thereon,

It was decided in the affirmative.

On motion of Mr. Bell,

It was ordered that the resolutions accompanying the said message adopted by the legislatures of the States of New Hampshire, North Carolina and Illinois, be referred to the committee raised on so much of the Governor's former message as relates to the resolutions from the States of Louisiana, Maine, New Hampshire and Pennsylvania.

Whereupon,

Mr. Richardson, one of said committee, asked and obtained leave to be discharged from farther service on said committee.

Mr. Harper called for the consideration of the bill to be entitled

An act to carry into effect that part of the 4th article of the constitution which provides for the establishment of a Court of Probates, in the several counties of this state.

When the House on motion, adjourned.

Wednesday, February 6, 1833.

The House met pursuant to adjournment.

Mr. Stockton presented the petition of sundry citizens of Madison county, remonstrating against the removal of the Seat of Justice from its present location.

On motion of Mr. Beatie,

Ordered, that said petition lie on the table.

Mr. Beatie presented the petition of sundry citizens of Madison county, praying the passage of an act authorizing the removal of the Seat of Justice of said county; which

On motion of Mr. Stockton,

Was ordered to lie on the table.

Mr. Demoss presented the petition of sundry citizens of Hinds county, praying the passage of an act establishing an election precinct at the store of Messrs. Walker & Ford, in said county.

On motion of Mr. Demoss,

Ordered, that said petition be referred to the committee raised on election precincts.

Mr. Tucker presented the petition of sundry citizens of the 18th township, of range 13, in the town of Columbus, and county of Lowndes, remonstrating against a division of the school funds of said township.

On motion of Mr. Tucker,

Ordered, that said petition be referred to the committee raised on the petition of the trustees of Franklin Academy.

Mr. Shurtleff, from the select committee to whom was referred the resolution directing an inquiry into the expediency of revising the militia of this State, reported, that the committee had according to order, had said resolution under consideration, and had instructed him to report a bill to be entitled

An act to amend the several acts now in force concerning the Militia of this State.

On motion of Mr. Shurtleff,

Ordered, that said report be received.

Whereupon,

Said bill was read the first time.

Mr. Demoss, from the select committee to whom was referred the petition of the officers and members of the Raymond Lodge, No. 21, of free and accepted masons, praying an act of incorporation—

Reported, that the committee had according to order, had said petition under consideration, and had instructed him to report a bill to be entitled

An act to incorporate the officers and members of Raymond Lodge No. 21, in the town of Raymond, in Hinds county.

On motion of Mr. Demoss,

Ordered, that said report be received.

Whereupon,

Said bill was read the first time.

Mr. Bole made the following report:

MR. SPEAKER:

The select committee to whom was referred the petition of Hezekiah Harrington, have had the same under consideration, and are of opinion that the object of the petitioner is amply provided for, by the statute of 1830, and have instructed me to report that legislation on that subject is unnecessary.

On motion of Mr. Bole,

Said report was received; and

On motion of Mr. Dunbar,

The same was agreed to.

Whereupon,

Mr. Bole asked and obtained leave to withdraw the petition of the said Hezekiah Harrington.

Mr. Learned asked and obtained leave to introduce a bill to be entitled

An act, to carry into effect the second section of the seventh article of the Constitution,

Which was read the first time.

Mr. Tucker moved that said bill lie on the table.

And the question being taken thereon,

It was decided in the negative.

It was then moved by Mr. Dunbar,

That said bill be rejected.

And the question being taken thereon,

It was decided in the negative.

Mr. Ellis asked and obtained leave to introduce a bill to be entitled

An act, to authorize the board of police, for the county of Jones, to levy a special tax, and for other purposes;

Which was read the first time.

Mr. Harper submitted the following resolution:

Resolved, with the concurrence of the Senate, that no local business shall be introduced in either House after Friday the 8th inst.

Mr. Harper moved that the rule requiring joint resolutions to lie one day on the table be dispensed with, and that said resolution be read a second time forthwith;

And the question being taken thereon,

It was decided in the negative.

Mr. Boyd, from the committee on the judiciary, to whom was committed the bill to be entitled

An act, to designate in what manner, and in what Courts, suits may be brought against the State of Mississippi—

Reported, that the committee had, according to order, had said bill under consideration, had made an amendment thereto, and had instructed him to report the same as amended.

On motion of Mr. Boyd,

Ordered, that said report be received;

Whereupon,

Said amendment was read and concurred in by the House.

On motion of Mr. Boyd,

Ordered, that said bill be engrossed and made the order of the day for a third reading on to-morrow.

On motion of Mr. Harper,

The House proceeded to consider the bill to be entitled

An act to carry into effect that part of the fourth article of the constitution, which provides for the establishment of a Court of Probates, in the several counties of this State.

Whereupon,

On motion of Mr. Harper,

Ordered, that said bill be made the order of the day for a second reading on to-morrow.

On motion of Mr. Howard,

The House proceeded to consider the resolution from the Senate in relation to the Post Office at Jackson;

Which was read the second time.

On motion of Mr. Stockton,

Ordered, that said resolution be committed to a committee of the whole House, and made the order of the day for to-morrow.

Mr. Morrison gave notice that he will, on to-morrow, ask leave to introduce a bill to be entitled

An act better to provide for the payment of persons summoned to guard prisoners.

The House, according to the order of the day, resumed in committee of the whole, the consideration of the bill from the Senate to be entitled

An act to organize and establish Circuit Courts, and to define their powers and jurisdiction in law and equity; Mr. Dunbar again in the chair,

And after some time spent therein,

A message from the Senate was announced at the bar of the House;

Whereupon,

The Speaker resumed the chair, when

The following written message was received from the Senate, by Mr. Gilbert, their reading clerk:

MR. SPEAKER:

The Senate have passed bills and a resolution from the House of Representatives, of the following titles, to wit:

A bill to be entitled An act to dissolve the bonds of matrimony heretofore subsisting between Charles Nicaise and Zine Nicaise, of the county of Hancock.

A bill to be entitled An act to incorporate the Baptist Church, called Ebenezer, in Amite county.

A bill to be entitled an act to amend an act entitled "An act for the relief of Alexander Willis, approved 8th December, 1831."

And a resolution in relation to a rule for proceeding in joint meeting of the two Houses.

They have also passed a bill to be entitled

An act to authorise the judge of the Circuit Courts of Hancock and Jackson counties, to appoint an interpreter in certain cases, in which they desire the concurrence of the House of Representatives. They have given leave to bring in bills of the following titles, viz:

A bill to be entitled

An act to change certain election precincts in the county of Monroe.

A bill to be entitled

An act to incorporate the Yazoo and Madison Turnpike Company.

A bill to be entitled

An act to incorporate a church called Ebenezer, in the county of Copiah.

And then he withdrew.

The House then resumed in committee of the whole the consideration of the bill from the Senate, to be entitled

An act to organize and establish Circuit courts, and define the powers and jurisdiction in law and equity; Mr. Dunbar again in the chair—

And after some time spent therein,

The Speaker resumed the chair, when

Mr. Dunbar reported, that the committee of the whole House had again had under consideration the said bill, but having come to no determination

thereon, had instructed him to report progress and ask leave to sit again on this day at two o'clock, P. M.

On motion of Mr. Dunbar,

Ordered that said report be received and agreed to.

And then the House adjourned 'till two o'clock, P. M.

2 O'CLOCK, P. M.

The House met pursuant to adjournment—

Whereupon,

On motion of Mr. Dunbar,

The House proceeded to consider the message of the Senate received on this day.

When the bill to be entitled

An act to authorize the Judge of the Circuit courts of Hancock and Jackson counties to appoint an interpreter in certain cases,

Was read the first time.

The House according to the order of the day, resumed in committee of the whole the consideration of the bill from the Senate to be entitled

An act to organize and establish Circuit courts and to define their powers and jurisdiction in law and equity; Mr. Dunbar again in the chair—

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Dunbar reported, that the committee of whole House had again had under consideration said bill, had made sundry amendments thereto, and had instructed him to report the same as amended.

On motion of Mr. Dunbar,

Ordered, that said report be received.

Whereupon,

A motion was made by Mr. Stockton that the same be agreed to.

A debate then arose—

When the previous question was called for by Mr. Stockton, and demanded by a majority of the members present:

It was then ordered, on motion of Mr. Bingaman, that the House reconsider the vote taken on said call for the previous question, and that the said amendments made in committee of the whole to the said bill be severally read.

Whereupon,

The 1st, 2nd, and 3rd amendments were read and concurred in by the House.

The 4th amendment was then read, when it was moved by Mr. Boyd, that the same be amended by adding at the end thereof, the words following, to wit:

Provided, that the Judge of the third Judicial District shall sit in the county of Wilkinson on the second Mondays of January and July in each year for the hearing and determining of Chancery causes, according to the

provisions of this act, and may so sit at each term for one week, if business shall require it, and no longer.

And the question being taken thereon,

It was decided in the affirmative.

The question was then taken on said amendment as amended,

And decided in the affirmative.

The 5th and 6th amendments were read and concurred in.

The 7th amendment being read—

A motion was made by Mr. Beasley, that there be a call of the House.

And the question being taken thereon,

It was decided in the negative.

A debate then arose—

When the previous question was called for by Mr. Barnes, and being demanded by a majority of the members present—

The said previous question was then put, viz:

Shall the main question be now put?

And decided in the affirmative.

The said main question was then put, viz:

Will the House concur in the said 7th amendment?

And decided in the affirmative.

YEAS 20—NAYS 11.

The yeas and nays being called for by three of the members present:

Those who voted in the affirmative are—

Messrs. Speaker, Barnes, Beatie, Bell, Bingaman, Bole, Dunbar, Dixon, Harper, Howard Keegan, Learned, Morrison, Richardson, Shurtleff, Stockton, Tucker, Vick, Vannerson, Vannorman—20

Those who voted in the negative are—

Messrs. Allen, Beasley, Boyd, Brewer, Carter, Edwards, Ellis, McRae, McDonald, Powel, Ragan—11.

The 8th, 9th, 10th, 11th, and 12th amendments were read and concurred in.

The 13th amendment being read—

It was moved by Mr. Dixon that the same be disagreed to by the House,

And the question being taken thereon,

It was decided in the negative.

YEAS 9—NAYS 22.

The yeas and nays being demanded by three of the members present:

Those who voted in the affirmative are—

Messrs. Bell, Carter, Edwards, Harper, Keegan, Learned, McRae, Powel, Ragan—9.

Those who voted in the negative are—

Messrs. Speaker, Allen, Barnes, Beasley, Beatie, Bingaman, Bole, Boyd, Brewer, Dunbar, Dixon, Ellis, Howard, McDonald, Morrison, Richardson, Shurtleff, Stockton, Tucker, Vick, Vannerson, Vannorman—22.

The 14th and 15th amendments were then read and concurred in by the House.

Whereupon,

On motion of Mr. Bingham,

It was ordered, that the said amendments be engrossed, and that the said bill together with said amendments be made the order of the day for a third reading on to-morrow.

Mr. Stockton, from the joint committee on enrolled bills, made the following report:

MR. SPEAKER:

The joint committee on enrolled bills have this day examined bills of the following titles, to wit:

An act to amend an act entitled "An act for the relief of Alexander Willis, approved 8th December, 1831."

An act to incorporate the Baptist church called Ebenezer, in Amite county.

An act to dissolve the bonds of matrimony heretofore subsisting between Charles Necaise and Zine Necaise, of the county of Hancock.

And have found the same correctly enrolled.

The Speaker signed said bills.

Ordered, that the clerk carry them to the Senate, for the signature of the President thereof.

Mr. Tucker gave notice that he will, on to-morrow, ask leave to introduce a bill to be entitled

An act to alter and amend "an act to incorporate the town of Columbus, in the county of Monroe, passed June 27th, 1822, and for other purposes."

Mr. Carter gave notice that he will, on to-morrow, ask leave to introduce a bill to be entitled

An act to amend the one-hundredth chapter of the Revised Code.

And then the House adjourned.

Thursday, February 7, 1833.

The House met pursuant to adjournment.

Mr. Tucker, from the joint select committee on the fourth article of the Constitution.

Reported, that the committee had further discharged their duty in relation thereto, and had instructed him to report a bill to be entitled

An act, concerning the Attorney General and District Attorneys.

On motion of Mr. Tucker,

Ordered, that said report be received.

Whereupon,

Said bill was read the first time.

Mr. Tucker, from the select committee to whom was referred the ordinance of the President and Trustees of the Franklin Academy, and the

petitions of sundry citizens of township No. 18, of range 18, West, of the county of Lowndes, in relation to the school and school lands in said township—

Reported, that the committee had had the same under consideration, and had instructed him to report a bill to be entitled

An act, to alter and amend the charter of the incorporation of the President and Trustees of the Franklin Academy, and to repeal an act entitled "An act, to alter and amend the charter of the incorporation of the President and Trustees of the Franklin Academy, in the county of Lowndes, and for other purposes, approved December 19th, 1831."

On motion of Mr. Tucker,

Ordered, that said report be received.

Whereupon,

Said bill was read the first time.

Mr. Tucker, according to notice given, asked and obtained leave to introduce a bill to be entitled

An act to alter and amend "an act to incorporate the town of Columbus, in the county of Monroe, passed June 27th, 1822, and for other purposes."

Which was read the first time.

Mr. McDonald asked and obtained leave to introduce a bill to be entitled

An act to authorize the board of county police of Jackson county, to levy a special tax.

Which was read the first time.

On motion of Mr. Powel,

The House proceeded to consider the petition of sundry citizens of Simpson county, and territory adjacent thereto, praying the passage of an act, granting them an acquisition of territory.

On motion of Mr. Powel,

Ordered, that said petition be referred to a select committee of three members, with leave to report by bill or otherwise;

And in pursuance thereto,

Messrs. Powel, Ragan and Howard were appointed.

On motion of Mr. Keegan,

The House proceeded to consider the bill from the Senate to be entitled

An act to take the census of the State of Mississippi, for the year 1833.

On motion of Mr. Keegan,

Ordered, that said bill be committed to a committee of the whole House, and made the order of the day for to-morrow.

Mr. Howard asked and obtained leave to introduce a bill to be entitled

An act, to extend the legal process of the county of Rankin, to certain parts of the Choctaw purchase, lying adjacent thereto, and for other purposes.

Which was read the first time.

Whereupon,

On motion of Mr. Howard,

It was ordered, that the same do lie on the table.

Mr. Brewer asked and obtained leave to introduce a bill to be entitled

An act, further to define and establish the boundary line, between the counties of Jackson and Hancock.

Which was read the first time.

Mr. Bell, from the joint committee on claims made the following report:

MR. SPEAKER:

The joint committee on claims have had under consideration, the account of Asa Woodard, John McDonald, Daniel McDuffie, Isaac Roberts, Irwin Roberts, James Williams, the estate of Norman McDuffie, and also the petition of G. D. Boyd, in behalf of the Woodville guards, and have instructed me to report, that they find them equitable and just, or part thereof, and ask leave to transfer the same to the committee of accounts, to be provided for in the general appropriation bill.

On motion of Mr. Bell,

Ordered, that said report be received and agreed to.

Mr. Bell, from the same committee reported, that the committee had also had under consideration, the account of Benjamin F. Stockton, for advertising notice for election of President of the United States in Claiborne county, and are of opinion that the same ought not to be a State charge, and ask to be discharged from the further consideration of the same.

On motion of Mr. Bell,

Ordered, that said report be received and agreed to.

Mr. Morrison, according to notice given, asked and obtained leave to introduce bills with the following titles, to wit:

A bill to be entitled

An act, better to provide for the payment of persons summoned to guard criminals; and

A bill to be entitled

An act to regulate the mode of assessing and collecting land taxes in the counties therein named.

Which were read the first time.

By leave of the House,

Mr. Howard presented the petition of David W. Felts and others, praying the passage of an act authorizing the sale of the 16th section of township No. 3, range No. 2, in the county of Rankin, which,

On motion of Mr. Howard,

Was ordered to lie on the table.

On motion of Mr. Dunbar,

The House proceeded in committee of the whole, to consider the bill to be entitled

An act to establish the Agricultural Bank of Mississippi; Mr. Keegan in the chair,

And after some time spent therein,

The Door Keeper announced a message from the Senate—

Whereupon,

The Speaker resumed the chair, when

The following written message was received from the Senate, by Mr. Gilbert, their reading clerk:

MR. SPEAKER:

The Senate have passed a bill from the House of Representatives, to be entitled

An act to incorporate the officers and members of Western Star Lodge, No. 20, duly authorized and established, on Society Ridge, Hinds county, by a charter from the Grand Lodge of the State of Mississippi,

And a bill to be entitled

An act to incorporate a Church called Ebenezer, in the county of Copiah, and for other purposes; which latter bill originated in the Senate, and in which I am requested to ask the concurrence of this House.

And then he withdrew.

Whereupon,

Said bill was read the first time.

The House then resumed in committee of the whole, the consideration of the bill to be entitled

An act to establish the Agricultural Bank of Mississippi; Mr. Keegan again in the chair,

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Keegan reported that the committee of the whole had, according to order, had under consideration said bill, but having come to no determination thereon, had instructed him to report progress and ask leave to sit again at 2 o'clock, P. M.

On motion of Mr. Keegan,

Ordered, that said report be received and agreed to.

And then the House adjourned till 2 o'clock, P. M.

2 O'CLOCK, P. M.

The House met pursuant to adjournment—

When a motion ⁱⁿ ~~was~~ made by Mr. Tucker, that there be a call of the House;

And the question being taken thereon,

It was decided in the affirmative.

The roll of the members was then called by the clerk, when it was found that the following named members answered to their names:

Messrs. Barnes, Beatie, Brewer, Demoss, Dunbar, Dixon, Ellis, Harper, Keegan, Martin, McDonald, Morrison, Richardson, Shelby, Shurtless, Stockton, Tucker, Vick, Vannorman—19.

On motion of Mr. Vannorman,

It was ordered that the absent members be sent for.

Mr. Harper submitted the following resolution:

Resolved, that the bills of a general nature now before this House, or that may hereafter be brought before this House, shall have preference on the orders of the day, during the present session.

Mr. Bell moved the indefinite postponement of said resolution.

Mr. Dunbar moved that the same do lie on the table;

And the question being taken thereon,

It was decided in the negative.

YEAS 7—NAYS 24.

The yeas and nays being called for by three of the members present:

Those who voted in the affirmative are—

Messrs. Speaker, Barnes, Beasley, Beatie, Demoss, Dunbar, Vannorman—7.

Those who voted in the negative are—

Messrs. Allen, Bell, Bingaman, Bole, Brewer, Dixon, Edwards, Ellis, Harper, Howard, Keegan, Learned, Martin, McDonald, Morrison, Powell, Ragan, Richardson, Shelby, Shurtleff, Stockton, Tucker, Vance, Vannerson—24.

The question was then taken on Mr. Bell's motion, ~~for an~~ indefinite postponement of said resolution,

And decided in the affirmative.

YEAS 19—NAYS 14.

The yeas and nays being called for by three of the members present:

Those who voted in the affirmative are—

Messrs. Speaker, Beasley, Beatie, Bell, Bole, Brewer, Carter, Ellis, Howard, McDonald, Morrison, Powell, Ragan, Shelby, Tucker, Vance, Vick, Vannerson, Vannorman—19.

Those who voted in the negative are—

Messrs. Allen, Barnes, Bingaman, Demoss, Dunbar, Dixon, Edwards, Harper, Keegan, Learned, Martin, Richardson, Shurtleff, Stockton—14.

The House then, according to the order of the day resumed, in committee of the whole, the consideration of the bill to be entitled

An act to establish the Agricultural Bank of Mississippi; Mr. Dixon in the chair.

And after some time spent therein,

The Speaker resumed the chair, when

Mr. Dixon reported, that the committee of the whole House had had said bill under consideration, but having come to no determination thereon, had instructed him to report progress and ask leave to sit again on to-morrow at 9 o'clock, A. M.

On motion of Mr. Dixon,

Ordered, that said report be received and agreed to.

Mr. Stockton, from the joint committee on enrolled bills made the following report:

X

MR. SPEAKER:

The joint committee on enrolled bills have this day examined—

An act to incorporate the officers and members of Western Star Lodge, No. 20, duly authorised and established on Society Ridge, Hinds county, by a charter from the Grand Lodge of the State of Mississippi—

And have found the same correctly enrolled.

The Speaker signed said bill.

Ordered, that the clerk carry it to the Senate for the signature of the President thereof.

And then the House adjourned.

Friday, February 8, 1833.

The House met pursuant to adjournment.

Mr. Tucker, from the select committee to whom was referred the petition of sundry citizens of Lowndes county, praying that Talieferro S. Howard may be empowered to keep a ferry on the Noxubby creek—

Reported, that the committee had according to order, had the same under consideration, and had instructed him to report a bill to be entitled

An act to empower Talieferro S. Howard, to keep a ferry on Noxubby creek.

On motion of Mr. Tucker,

Ordered, that said report be received.

Whereupon,

Said bill was read the first time.

Mr. Vannerson, from the joint select committee on the fifth article of the Revised Constitution.

Reported, that the committee had in the further discharge of their duties, again had the subject under consideration, and had instructed him to report a bill to be entitled

An act to define the duties of the State Treasurer, and to establish his salary.

On motion of Mr. Vannerson,

Ordered, that said report be received.

Whereupon,

Said bill was read the first time.

Mr. Vannerson called for the consideration of the bill to be entitled

An act, to abolish the third Chancery District;

And the question being taken thereon,

It was decided in the negative.

Mr. Carter, according to notice given, asked and obtained leave to introduce a bill to be entitled

An act to amend the one hundredth chapter of the Revised Code.

Which was read the first time. And

On motion of Mr. Vannorman,
Ordered to lie on the table.

The House according to the order of the day, resumed in committee of the whole; the consideration of the bill to be entitled

An act to establish the Agricultural Bank of Mississippi—Mr. Dixon again in the chair.

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Dixon reported that the committee of the whole House had again had under consideration said bill, had made sundry amendments thereto, and had instructed him to report the same as amended.

On motion of Mr. Dixon,

Ordered, that said report be received.

Mr. Dixon moved that the same be agreed to.

Mr. Tucker called for the reading of the amendments.

Whereupon,

The 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, and 9th amendments, were read and concurred in by the House.

The 10th amendment being read, it was moved by Mr. Danbar that the same be amended as follows:

Strike out after the word "and" in the 7th line, and insert "it should be the duty of the Governor of this State to appoint annually, a competent person to inspect such general accounts on the books of said bank as he shall deem necessary, and it shall be his duty faithfully to report every violation of the fundamental rules of said corporation to be laid by the Governor before the Legislature at their next succeeding session.—*Provided*, said inspector shall not have the right of inspecting the private account of any individual or individuals, or of any body corporate, with said bank.

Whereupon,

The following message was received from the Senate, by Mr. Gilbert, their reading Clerk.

MR. SPEAKER:

The President of the Senate has signed bills of the following titles, to wit:

A bill to be entitled

An act, for the relief of Alexander Willis, approved 8th December, 1831.

A bill to be entitled

An act, to incorporate the Baptist Church, called Ebenezer, in Amite county.

A bill to be entitled

An act, to dissolve the bonds of matrimony, heretofore subsisting between Charles Necaise and Zene Necaise, of the county of Hancock; and

An act to incorporate the officers and members of Western Star

Lodge, No. 20, duly authorized and established on Society Ridge, Hinds county, by a Charter from the Grand Lodge of the State of Mississippi.

Which bills originated in this House.

And then he withdrew.

The question was then taken on the amendment proposed by Mr. Dunbar to the 10th amendment made in committee of the whole, to the bill to be entitled

An act, to establish the Agricultural Bank of Mississippi—

And decided in the affirmative.

The question was then taken on said amendment, as amended,

And decided in the affirmative.

The 11th and 12th amendments were then read and concurred in by the House.

Mr. Tucker moved to amend the 10th section of said bill as follows:

Strike out the 10th section of said bill.

And the question being taken thereon,

It was decided in the negative.

YEAS 15—NAYS 15.

The yeas and nays being demanded by three of the members present:

Those who voted in the affirmative are—

Messrs. Bell, Bole, Carter, Edwards, Ellis, Harper, McDonald, Morrison, Powel, Ragan, Shurtleff, Stockton, Tucker, Vannerson, Vannorman.—15.

Those who voted in the negative are—

Messrs. Speaker, Allen, Barnes, Beasley, Beatie, Bingaman, Brewer, Demoss, Dunbar, Dixon, Howard, Keegan, Martin, Shelby, Vick.—15.

On motion of Mr. Keegan,

Ordered, that said bill be engrossed, and made the first order of the day for a third reading on to-morrow.

A message from the Governor, by Mr. Allen, his private secretary.

MR. SPEAKER:

I am requested by the Governor to inform this House that on the 4th inst. he approved and signed a bill entitled

An act to repeal an act entitled an act to reduce into one the several acts and parts of acts concerning highways, ferries and bridges, passed the 15th day of Dec., 1831, so far as the same relates to the county of Hinds, and for other purposes.

On the 8th inst. a bill entitled

An act further to amend an act to establish a Planters Bank in the State of Mississippi, approved February 10th, 1830, and the acts supplemental the etc.

On the 5th inst. a bill entitled

An act to authorize Henry Dillard to keep a bridge over the Habolachitto in the county of Hancock; and also,

A bill entitled

An act to repeal an act entitled an act to amend an act concerning highways, ferries and bridges in Claiborne and Warren counties.

All of which originated in this House.

And then he withdrew.

Mr. Stockton, from the joint committee on enrolled bills, made the following report:

MR. SPEAKER:

The joint committee on enrolled bills have this day presented to His Excellency the Governor, for his approbation and signature, bills of the following titles, to wit:

An act to amend an act entitled "an act for the relief of Alexander Willis, approved 8th December, 1831."

An act to incorporate the Baptist church called Ebenezer, in Amite county.

An act to dissolve the bonds of matrimony heretofore subsisting between Charles Necaise and Zine Necaise, of the county of Hancock.

An act to incorporate the officers and members of Western Star Lodge, No. 20, duly authorised and established on Society Ridge, Hinds county, by a charter from the Grand Lodge of the State of Mississippi.

On motion of Mr. Morrison,

The House proceeded to consider the bill to be entitled

An act to alter and amend the second section of the seventh article of the constitution, under the head or title, "slaves."

It was then moved by Mr. Morrison, that there be a call of the House;

And the question being taken thereon,

It was decided in the affirmative.

The roll of the members was then called by the clerk, when it was found that the following named members answered to their names—

Messrs. Allen, Barnes, Beatie, Bell, Brewer, Carter, Demoss, Dunbar, Edwards, Harper, Keegan, Learned, McDonald, Morrison, Powel, Ragan, Shelby, Shurtleff, Stockton, Tucker, Vick, Vannerson, Vannorman.—23.

On motion of Mr. Vannerson,

The absent members were sent for.

It was then ordered, on motion of Mr. Barnes,

That further action on said call be dispensed with.

Whereupon,

Said bill was read and passed the first time, by a constitutional majority, two-thirds of the members concurring therein.

The yeas and nays being demanded by three of the members present:

Those who voted in the affirmative are—

Messrs. Speaker, Allen, Beasley, Beatie, Bell, Bingaman, Bole, Brewer, Carter, Demoss, Edwards, Ellis, Harper, Howard, Keegan, Learned, Martin, McDonald, Morrison, Powel, Ragan, Richardson, Shelby, Shurtleff, Stockton, Tucker, Vance, Vick, Vannerson, Vannorman—30.

Those who voted in the negative are—

Messrs. Barnes, Dunbar, Dixon—3.

On motion of Mr. Bingaman,

The House proceeded to consider the resolution in relation to the prohibition of slaves.

Mr. Howard moved, that said resolution be indefinitely postponed.

Whereupon,

It was ordered, on motion of Mr. Harper, that the same do lie on the table.

A message from the Senate, by Mr. Gilbert, their reading clerk:

MR. SPEAKER:

The Senate have passed bills of the following titles, to wit:

A bill to be entitled

An act to provide for selling the thirty-six sections of land, granted by the United States to the State of Mississippi, for a Seminary of learning, and to dispose of the proceeds of said sale—

And a bill to be entitled

An act to change certain election precincts in the county of Monroe.

In which bills they desire the concurrence of the House of Representatives.

The Senate have given leave to introduce bills of the titles following, to wit:

A bill to be entitled

An act to attach a part of the territory now subject to the jurisdiction of the county of Rankin, to the county of Madison.

A bill to be entitled

An act to establish a Turnpike Gate at the Yellow Busha Swamp.

A bill to be entitled

An act to authorise Jesse D. Craft to sell a tract of land, therein named.

A bill to be entitled

An act to amend an act entitled "an act to incorporate the town of Galatin, passed February 4th, 1829," and for other purposes.

And then he withdrew.

On motion of Mr. Vannorman, the House adjourned till 2 o'clock, P. M.

2 O'CLOCK, P. M.

The House met pursuant to adjournment.

Mr. Vannorman asked and obtained leave to introduce a bill to be entitled

An act to incorporate the officers and members of the Woodville Guards, and for other purposes.

Which was read the first time.

Mr. Tucker moved that said bill be rejected;

And the question being taken thereon,

It was decided in the negative.

The bill from the Senate to be entitled

An act, to provide for selling the thirty-six sections of land, granted by the United States to the State of Mississippi, for a Seminary of Learning, and to dispose of the proceeds of said sale—

Was read the first time.

The bill from the Senate to be entitled

An act, to change certain election precincts in the county of Monroe,

Was read the first time. And

On motion of Mr. Dixon,

Ordered to lie on the table.

The bill from the Senate to be entitled

An act to organize and establish Circuit Courts and to define their powers and jurisdiction in law and equity,

Was read the third time.

Whereupon,

On motion of Mr. Vannerson,

The House forthwith resolved itself into a committee of the whole on said bill; Mr. Bingaman in the chair—

And after some time spent therein,

The Speaker resumed the chair, when

Mr. Bingaman reported, that the committee of the whole House had according to order, had said bill under consideration, had made some progress therein, but having come to no determination, had instructed him to ask leave to sit again on to-morrow at 9 o'clock, A. M.

On motion of Mr. Bingaman,

Ordered, that said report be received and agreed to.

The resolution from the Senate for the relief of the heirs of Samuel C. Wooldridge, deceased—

Was read the third time.

Whereupon,

A motion was made by Mr. Carter, that there be a call of the House.

And the question being taken thereon,

It was also decided in the negative.

The question was then taken on the passage of said resolution,

And decided in the affirmative.

YEAS 18—NAYS—8.

The yeas and nays being called for by three of the members present:

Those who voted in the affirmative are—

Messrs. Barnes, Beasley, Bell, Bingaman, Bole, Brewer, Demoss, Dixon, Edwards, Keegan, Martin, Morrison, Shelby, Shurtleff, Stockton, Tucker, Vick, Vannerson— 18.

Those who voted in the negative are—

Messrs. Allen, Carter, Ellis, Harper, Learned, Powel, Ragan, Vannorman—8.

So the resolution passed.

Ordered, that the clerk acquaint the Senate therewith.

The engrossed bills entitled, to wit:

An act to authorize the building of a toll bridge across the Yellow Busha.

An act to incorporate the Pearl River Academy in the county of Madison.

An act for the relief of John Thompson.

An act to incorporate the town of Clinton, in the county of Hinds; and

An act to designate in what manner and in what Courts suits may be brought against the State of Mississippi—

Were severally read the third time, and passed with their titles as stated.

Ordered, that the clerk carry said bills to the Senate, and request their concurrence therein.

The House according to the order of the day, resolved itself into a committee of the whole on the resolution from the Senate relative to the Post Office at Jackson; Mr. Shelby in the chair—

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Shelby reported, that the committee of the whole House had, according to order, had said resolution under consideration, had made sundry amendments thereto, and had instructed him to report the same as amended.

On motion of Mr. Shelby;

Said report was received; and

On motion of Mr. Learned,

The same was agreed to.

On motion of Mr. Stockton;

Ordered, that said amendments be engrossed, and that said resolution as amended be made the order of the day for a third reading on to-morrow.

The House according to the order of the day, resolved itself into a committee of the whole House on the bill from the Senate to be entitled

An act to take the Census of the State of Mississippi for the year 1833; Mr. Learned in the chair—

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Learned reported that the committee of the whole House had, according to order, had said bill under consideration, had made some progress therein, but not having come to any determination, had instructed him to ask leave to sit again on to-morrow at 3 o'clock, A. M.

On motion of Mr. Learned,

Ordered, that said report be received.

And then the House adjourned.

Saturday, February 9, 1833.

The House met pursuant to adjournment—

Mr. Vance presented the petition of Jeshua Rud, of the county of Yazoo, praying the passage of an act authorizing the County Court of said county to grant an allowance for services rendered and necessities furnished an indigent person therein named.

On motion of Mr. Vance,

Ordered, that said petition be referred to a select committee of three members, with leave to report by bill or otherwise;

And in pursuance thereto,

Messrs. Vance, Bole and Beatie, were appointed.

Mr. Joseph W. Pendleton, a member from the county of Lawrence, (to fill the vacancy occasioned by the death of Samuel Benson, a representative elect from said county) appeared, produced his credentials, was qualified and took his seat in the Hall.

Mr. Demess, from the select committee to whom was referred the petition of sundry citizens of Hinds county, praying the passage of an act granting to Joel E. Carstarphen, a charter to build a bridge over the Big Black river,

Reported, that the committee had, according to order, had said petition under consideration, and had instructed him to report a bill to be entitled

An act to grant a charter to Joel E. Carstarphen, for a bridge to be built over Big Black river, from Hinds to Warren county.

On motion of Mr. Morrison,

Ordered, that said report be received.

Whereupon,

Said bill was read the first time.

The bill from the Senate to be entitled

An act to organize and establish Circuit Courts, and to define their powers and jurisdiction in law and equity,

Was in order for a committee of the whole House.

Mr. Tucker moved that said bill lie on the table;

And the question being taken thereon,

It was decided in the negative.

Whereupon,

On motion of Mr. Keegan,

It was ordered that the order on said bill be postponed until Monday next.

A message from the Senate, by Mr. Gilbert, their reading Clerk.

MR. SPEAKER:

The Senate, on yesterday, gave leave for the introduction of a bill to be entitled

An act to revive, modify and perfect the constitution ordained at Washington, State of Mississippi, in the year 1817, and

A bill to be entitled

An act for the relief of Edward Synco.

And then he withdrew.

The bill to be entitled

An act to establish the Agricultural Bank of Mississippi—

Was in order for a third reading.

Mr. Vannerson moved that the order on said bill be postponed until Monday next.

And the question being taken thereon,

It was decided in the negative.

It was then moved, by Mr. Vannerson, that the House forthwith resolve itself into a committee of the whole on said bill.

And the question being taken thereon,

It was decided in the negative.

Whereupon,

Mr. Brewer moved that the House do re-consider its vote taken on the amendment proposed to the 10th section of said bill.

It was then moved, by Mr. Barnes, that there be a call of the House.

And the question being taken thereon,

It was decided in the affirmative.

The roll of the members was then called by the clerk, when it was found that the following named members answered to their names:

Messrs. Barnes, Beasley, Beatie, Bell, Bole, Brewer, Carter, Demoss, Dunbar, Dixon, Edwards, Ellis, Harper, Keegan, Learned, Martin, McDonald, Morrison, Powel, Ragan, Richardson, Shurtleff, Stockton, Tucker, Vance, Vannerson, Vannorman—27.

On motion of Mr. Shurtleff,

Mr. Allen was excused from further attendance on the House until Monday next; and

On motion of Mr. Keegan,

Messrs. McRae, and Boyd, were excused during their indisposition.

On motion of Mr. Barnes,

The absent members were sent for.

It was then ordered, on motion of Mr. Shurtleff, that further action on said call be dispensed with.

Whereupon,

On motion of Mr. Vannorman,

The House forthwith resolved itself into a committee of the whole on said bill—Mr. Bole in the chair.

And after some time spent therein,

The Speaker resumed the chair, when

Mr. Bole reported, that the committee of the whole House had, according to order, had said bill under consideration, had made an amendment thereto, and instructed him to report the same as amended.

On motion of Mr. Bole,

Ordered, that said report be received.

Whereupon,

Said amendment was read and concurred in by the House.

It was then moved, by Mr. Tucker, that said bill be amended as follows:
Strike out the 11th section.

And the question being taken thereon,

It was decided in the negative.

YEAS 15—NAYS 17.

The yeas and nays being demanded by three of the members present:

Those who voted in the affirmative are—

Messrs. Bell, Brewer, Carter, Edwards, Ellis, Harper, Learned, McDonald, Morrison, Powel, Ragan, Shurtleff, Tucker, Vannerson, Vannorman—15.

Those who voted in the negative are—

Messrs. Speaker, Barnes, Beasley, Beatie, Bingaman, Bole, Boyd, Demoss, Dunbar, Dixon, Howard, Keegan, Martin, Richardson, Shelby, Vance, Vick—17.

The House then adjourned till 2 o'clock, P. M.

3 O'CLOCK, P. M.

The House met pursuant to adjournment.

The bill to be entitled

An act, to establish the Agricultural Bank of Mississippi, being in order for a third reading—

A motion was made by Stockton, that there be a call of the House.

And the question being taken thereon,

It was decided in the affirmative.

The roll of the members was then called by the clerk, when it was found that the following named members answered to their names:

Messrs. Barnes, Beasley, Beatie, Bingaman, Bole, Boyd, Brewer, Carter, Demoss, Dixon, Dunbar, Edwards, Ellis, Harper, Keegan, Learned, Martin, Morrison, Pendleton, Powel, Ragan, Richardson, Shurtleff, Stockton, Vannorman—25.

On motion of Mr. Morrison,

It was ordered, that the absent members be sent for.

Mr. Brewer moved that the House adjourn.

And the question being taken thereon,

It was decided in the negative.

It was then ordered, on motion of Mr. Stockton, that further action on said call be dispensed with.

Whereupon,

Said bill was read the third time.

A debate then arose—

When the previous question was called for by Mr. Demoss, but was not sustained by the demand of a majority of the members present.

The debate was then resumed, which continued until 4 o'clock; when

The question was taken on the passage of said bill,
And decided in the affirmative.

YEAS 19—NAYS 15.

The yeas and nays being demanded by three of the members present:

Those who voted in the affirmative are—

Messrs. Speaker, Barnes, Beasley, Beatie, Bingaman, Bole, Boyd, Carter, Demoss, Dunbar, Dixon, Howard, Martin, Morrison, Richardson, Shelby, Stockton, Vance, Vick—19.

Those who voted in the negative are—

Messrs. Bell, Brewer, Edwards, Ellis, Harper, Keegan, Learned, McDonald, Pendleton, Powel, Ragan, Shurtleff, Tucker, Vannerson, Vannorman—15.

So the bill passed.

Ordered, that the title thereof be as stated, and that the clerk carry said bill to the Senate, and request their concurrence therein.

The House then adjourned.

Monday, February 11, 1833.

The House met pursuant to adjournment—

When Mr. Pendleton, a member from the county of Lawrence, was appointed on the committee of claims.

Mr. Edwards, from the committee on elections, made the following report:

MR. SPEAKER:

The committee of elections have examined the credentials of the Hon. J. W. Pendleton, of Lawrence county, lately elected to fill the vacancy occasioned by the death of the late Sam'l. Benson, deceased, and have directed me to report that he was constitutionally elected.

JOHN A. EDWARDS, *Chairman.*

On motion of Mr. Edwards,

Ordered, that said report be received.

On motion of Mr. Shurtleff,

It was ordered that Mr. Powel be excused from further attendance on the House until Wednesday next.

The House, according to the order of the day, resumed in committee of the whole the consideration of the bill to be entitled

An act to organize and establish Circuit Courts, and to define their powers and jurisdiction in law and equity; Mr. Bole in the chair,

And after some time spent therein,

A message from the Senate was announced by the door keeper;

Whereupon,

The Speaker resumed the chair, when

The following written message was received from the Senate, by Mr. Gilbert, their reading clerk:

MR. SPEAKER:

The Senate have passed bills of the following titles, to wit:

A bill to be entitled

An act to authorize Jesse D. Craft, to sell a certain tract of land therein named.

A bill to be entitled

An act to amend "an act for the division of a certain appropriation therein named;"

And a bill to be entitled

An act to amend an act, entitled "an act to incorporate the town of Galatin, passed 4th February, 1829, and for other purposes."

In which bills they desire the concurrence of the House of Representatives.

The Senate have given leave for the introduction of

A bill to be entitled

An act for the relief of William Clark and William Cooper.

And then he withdrew.

The House then resumed in committee of the whole, the consideration of the said bill;

And after some further time spent therein,

A message from the Senate was again announced by the door keeper;

Whereupon,

The Speaker resumed the chair; when

The following message was received from the Senate, by Mr. Gilbert, their reading clerk:

MR. SPEAKER:

The Senate have passed a bill to be entitled

An act for the relief of William Clark and William Cooper, in which bill I am requested to ask the concurrence of this House.

And then he withdrew.

The House then resumed in committee of the whole the consideration of the said bill; Mr. Bole again in the chair,

And after some further time spent therein,

The Speaker resumed the chair, when

Mr. Bole reported, that the committee of the whole House had, according to order, had said bill under consideration, had made sundry amendments thereto, and had instructed him to report the same as amended.

On motion of Mr. Bole,

Ordered, that said report be received.

On motion of Mr. Tucker,

Ordered, that said bill be committed to a select committee of five members;

And in pursuance thereto,

Messrs. Tucker, Vanneison, Keegan, Dixon and Bell, were appointed.

And the House adjourned till 2 o'clock, P. M.

2 O'CLOCK, P. M.

The House met pursuant to adjournment—

The bills from the Senate entitled, to wit:

An act to amend "an act for the division of a certain appropriation therein named."

An act to amend an act entitled "an act to incorporate the town of Galatin, passed 4th February, 1829, and for other purposes," and

An act to authorize Jesse D. Craft to sell a tract of land therein named,
Were read the first time.

The bill from the Senate to be entitled

An act for the relief of William Clark and William Cooper,

Was read the first time.

Mr. Tucker moved that said bill be rejected.

And the question being taken thereon,

It was decided in the negative.

It was then moved, by Mr. Dixon, that the rule requiring bills to be read on three several days be dispensed with, and that said bill be read a second time forthwith.

And the question being taken thereon,

It was decided in the negative.

Mr. Morrison moved a reconsideration of the vote taken on the bill to be entitled

An act to establish the Agricultural Bank of Mississippi.

And the question being taken thereon,

It was decided in the affirmative.

YEAS 19—NAYS 12.

The yeas and nays being demanded by three of the members present:

Those who voted in the affirmative are—

Messrs. Speaker, Bell, Brewer, Carter, Edwards, Ellis, Harper, Keegan, Learned, McRae, McDonald, Morrison, Pendleton, Ragan, Shurtleff, Tucker, Vick, Vannerson, Vannorman—19.

Those who voted in the negative are—

Messrs. Barnes, Beasley, Beatie, Bingaman, Bole, Boyd, Demoss, Dixon, Dunbar, Shelby, Stockton, Vance—12.

On motion of Mr. Keegan,

Ordered, that said bill be committed to a committee of the whole House and made the first order of the day for to-morrow.

On motion of Mr. Harper,

Ordered, that Mr. Martin be excused from further attendance on the House during his indisposition.

On motion of Mr. Morrison,

The House proceeded to consider the bill to be entitled

An act to alter and amend the second section of the seventh article of the Constitution under the head or title "Slaves."

Whereupon,

Said bill was read and passed the second time by a constitutional majority, two-thirds of the members concurring therein.

The yeas and nays being called for by three of the members present:

Those who voted in the affirmative are--

Messrs. Speaker, Beasley, Beatie, Bell, Bingaman, Bole, Boyd, Brewer, Carter, Demoss, Dixon, Edwards, Ellis, Harper, Keegan, Learned, McDonald, Morrison, Pendleton, Ragan, Richardson, Shelby, Shurtleff, Stockton, Tucker, Vance, Vick, Vannerson, Vannorman—29.

Those who voted in the negative are--

Messrs. Barnes, McRae—2.

On motion of Mr. Demoss,

The House proceeded to the consideration of the resolution from the Senate in relation to the Post Office at Jackson.

Whereupon,

Said resolution was read the third time and passed.

Ordered, that the clerk acquaint the Senate therewith.

The House, according to the order of the day, resumed in committee of the whole the consideration of the bill from the Senate to be entitled

An act to take the census of the State of Mississippi for the year 1833—
Mr. Harper in the chair.

And after some time spent therein.

The Speaker resumed the chair; when

Mr. Harper reported, that the committee of the whole House had, according to order, had said bill under consideration, had made some progress therein, but having come to no determination thereon, had instructed him to ask leave to sit again.

On motion of Mr. Harper,

Ordered, that said report be received.

On motion of Mr. Tucker,

Ordered, that said bill lie on the table.

Mr. Stockton, from the joint committee on enrolled bills, made the following report:

MR. SPEAKER:

The joint committee on enrolled bills have on this day examined a resolution for the relief of the heirs of Samuel C. Wooldridge, deceased,

And have found the same correctly enrolled.

The Speaker signed said resolution.

Ordered, that the clerk carry it to the Senate, for the signature of the President thereof.

The House, according to the order of the day, resolved itself into a committee of the whole House on the bill to be entitled

An act to provide for the location of a permanent Seat of Justice for Madison county—Mr. Vick in the chair.

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Vick reported, that the committee of the whole House had, according to order, had said bill under consideration, had made an amendment thereto, and had instructed him to report the same as amended.

On motion of Mr. Vick,

Ordered, that said report be received.

Mr. Bole moved that the House do agree to said report.

Mr. Keegan moved that the same lie on the table;

And the question being taken thereon,

It was decided in the negative.

The question was then taken on the motion made by Mr. Bole to agree to said report,

And decided in the affirmative.

On motion of Mr. Bole,

Ordered, that said bill be engrossed and made the order of the day for a third reading on to-morrow.

The bill to be entitled

An act to amend an act entitled "an act to reduce into one the several acts regulating inns, taverns, and houses of private entertainment, and for the restraint of tipling houses, passed June 29th, 1822,"

Was in order for a committee of the whole House.

On motion of Mr. Tucker,

Ordered, that the order on said bill be postponed until Monday next.

The House, according to the order of the day, resolved itself into a committee of the whole, on the bill to be entitled

An act to incorporate the Mississippi Insurance Company at Vicksburg—Mr. Ragan in the chair.

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Ragan reported, that the committee of the whole House had had said bill under consideration, had made sundry amendments thereto, and had instructed him to report the same as amended.

On motion of Mr. Ragan,

It was ordered that said report be received; and

On motion of Mr. Keegan,

It was ordered that the same be agreed to.

On motion of Mr. Ragan,

Ordered, that said bill be engrossed and made the order of the day for a third reading on to-morrow.

Mr. Allen, a member from the county of Copiah, appeared and took his seat in the Hall.

The House on motion adjourned.

Tuesday, February 12, 1833.

The House met pursuant to adjournment.

Mr. Vick presented the petition of Elizabeth Jones and others of Warren county, praying the passage of an act, emancipating certain slaves therein named.

On motion of Mr. Vick,

Ordered, that said petition be referred to a select committee of three members, with leave to report by bill or otherwise;

And in pursuance thereto,

Messrs. Vick, Bole and Vance were appointed.

Mr. Vick also presented the petition of Redding B. Herring, praying the passage of an act, emancipating a certain slave therein named.

On motion of Mr. Vannorman,

Ordered, that said petition be rejected.

Mr. Beatie presented the petition of Lewis Gertley, praying the passage of an act, authorizing the sale of a certain tract of land therein described, the property of Joseph Smith Davis, a minor residing in the county of Madison.

On motion of Mr. Beatie,

Ordered, that said petition be referred to a select committee of three members, with leave to report by bill or otherwise;

And in pursuance thereto,

Messrs. Beatie, Tucker and Vance were appointed.

Mr. Dixon, from the committee on propositions and grievances to whom was referred the petition of Charles Holland and John R. Little, praying the passage of an act, granting them an allowance for the completion of the public works of Jackson county—

Reported, that the committee had according to order, had the same under consideration, and had instructed him to report a bill to be entitled

An act, for the relief of Charles Holland and John R. Little.

On motion of Mr. Dixon,

Ordered, that said report be received.

Whereupon,

Said bill was read the first time.

Mr. Dixon, from the same committee to whom was committed the bill to be entitled

An act, for the relief of Samuel M. Pucket and John Thompson—

Reported, that the committee had according to order had the subject matter of said bill under consideration, and are of opinion that the said Thompson is not entitled to the relief which he asks.

On motion of Mr. Dixon,

Ordered, that said report be received, and that the same do lie on the table.

Mr. Boyd presented the account of Fielding Davis, Sheriff of Wilkin-

son county, for keeping and guarding certain prisoners therein named; also, for holding certain elections therein mentioned.

On motion of Mr. Boyd,

Ordered, that said account be referred to the committee on claims.

Mr. Vance, from the select committee to whom was referred the petition of Joshua Reed of Yazoo county, praying the passage of an act, granting him an allowance from the Treasury of said county, for services rendered and necessities furnished an indigent person therein named—

Reported, that the committee had, according to order, had said petition under consideration, and had instructed him to report a bill to be entitled

An act for the relief of Joshua Reed.

On motion of Mr. Vannorman,

Ordered, that said report be received.

Whereupon,

Said bill was read the first time.

Mr. McDonald asked and obtained leave to introduce a bill to be entitled

An act for the relief of Peter Ladnur and others.

Which was read the first time.

On motion of Mr. Carter,

The House proceeded to consider the bill to be entitled

An act, to amend the one hundredth chapter of the Revised Code.

On motion of Mr. Carter,

Ordered, that said bill be made the order of the day for a second reading on to-morrow.

On motion of Mr. Morrison,

The House proceeded to consider the bill to be entitled

An act, to reduce into one the several acts relative to strays and drovers, horses, cattle and other stock, and directing stock marks and brands to be recorded.

Mr. Morrison moved that said bill be committed to a committee of three members.

Mr. Harper moved that said bill be indefinitely postponed.

And the question being taken thereon,

It was also decided in the negative.

The question was then taken on the motion made by Mr. Morrison to commit said bill to a committee of three members—

And decided in the affirmative.

The committee appointed were Messrs. Boyd and Ragan.

On motion of Mr. Ragan,

The House proceeded to consider the bill to be entitled

An act concerning the publication of a book therein named, and for other purposes.

On motion of Mr. Ragan,

Ordered, that said bill be made the order of the day for a second reading on to-morrow.

On motion of Mr. Morrison,

The House proceeded to consider the bill to be entitled

An act, to alter and amend the second section of the seventh article of the Constitution, under the head or title "Slaves."

Whereupon,

Said bill was put upon its third passage, and passed with its title as stated, by a constitutional majority—two thirds of the members concurring therein.

The yeas and nays being called for by three of the members present:

Those who voted in the affirmative are—

Messrs. Speaker, Allen, Beasley, Beatie, Bell, Bingaman, Bole, Boyd, Brewer, Carter, Demoss, Edwards, Ellis, Harper, Howard, Keegan, Learned, McDonald, Morrison, Pendleton, Ragan, Richardson, Shelby, Shurtleff, Stockton, Tucker, Vance, Vick, Vannerson, Vannorman—30.

Those who voted in the negative are—

Messrs. Barnes, Dunbar—2.

Ordered, that the clerk carry said bill to the Senate, and request their concurrence therein.

On motion of Mr. Morrison,

The House proceeded to consider the bill from the Senate to be entitled

An act for the relief of William Clarke and William Cooper.

Whereupon,

Said bill was read the second time.

Mr. Tucker moved that said bill be committed to a committee of the whole House, and made the order of the day for the 23d instant.

And the question being taken thereon,

It was decided in the negative.

The House then, on motion of Bingaman, forthwith resolved itself into a committee of the whole on said bill—Mr. Vick in the chair.

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Vick reported, that the committee of the whole House had, according to order, had said bill under consideration, had made an amendment thereto, and had instructed him to report the same as amended.

On motion of Mr. Vick,

Ordered, that said report be received and agreed to.

On motion of Mr. Dunbar,

Ordered, that said amendment be engrossed, and that said bill, as amended, be made the order of the day for a third reading on to-morrow.

A message from the Governor, by Mr. Allen, his private Secretary:

MR. SPEAKER:

I am requested, by the Governor, to inform this House that he has this day approved and signed the following bills, to wit:

An act to amend an act for the relief of Alexander Willis, approved 8th Dec. 1831.

An act to incorporate the Baptist church called Ebenezer, in Amite county; and also

An act to incorporate the officers and members of the Western Star Lodge, No. 20, duly authorised and established on Society Ridge, Hinds county, by a charter from the Grand Lodge of the State of Mississippi.

And then he withdrew.

Mr. Stockton asked and obtained leave to introduce a bill to be entitled
An act to repeal a part of the 106th chapter of the Revised Code;

Which was read the first time.

The bill to be entitled

An act to establish the Agricultural Bank of Mississippi,

Was in order for a committee of the whole House.

On motion of Mr. Bingaman,

Ordered, that said bill lie on the table.

And then the House adjourned 'till two o'clock, P. M.

2 O'CLOCK, P. M.

The House met pursuant to adjournment.

The bill to be entitled

An act to provide for the location of a permanent seat of Justice for Madison county,

Was read the third time.

Mr. Stockton proposed to amend said bill, by way of rider, as follows:

After the first section, add the words to wit:

"If a proper location can, in the opinion of said Board, be found within said distance of three miles;"

Which being read the first time,

A motion was made, by Mr. Beatie, that the same be rejected.

It was then moved, by Mr. Howard, that the petition remonstrating against the removal of the seat of Justice for Madison county, be read;

And the question being taken thereon,

It was decided in the negative.

The question was then taken on the motion made by Mr. Beatie to reject said rider,

And decided in the negative.

And thereupon,

On motion of Mr. Keegan,

The rule was dispensed with, and said rider was read a second time forthwith.

On motion of Mr. Keegan,

The rule was further dispensed with, said rider considered as engrossed, read a third time forthwith, and with the bill, put upon its passage.

It was then moved, by Mr. Stockton, that said bill and rider be committed to a committee of the whole House, and made the order of the day for to-morrow.

And the question being taken thereon,

It was decided in the negative.

Mr. Keegan moved that the same do lie on the table;

And the question being taken thereon,

It was decided in the negative.

It was then moved, by Mr. Keegan, that the said bill, with the amendment thereto, by way of rider, be committed to a committee of the whole House, and made the order of the day for to-morrow.

And the question being taken thereon,

It was decided in the negative.

Whereupon,

On motion of Mr. Beatie,

The House forthwith resolved itself into a committee of the whole on the said bill and rider; Mr. McDonald in the chair,

And after some time spent therein,

The Speaker resumed the chair, when

Mr. McDonald reported, that the committee of the whole House had, according to order, had the said bill and rider under consideration, and had instructed him to report the same without amendment.

On motion of Mr. McDonald,

Ordered, that said report be received and agreed to.

Whereupon,

It was moved by Mr. Howard, that the said bill be further amended by way of rider, as follows:—

After the fifth section, add the words, to wit:

“Provided, that in case said commissioners should not agree, the voters of Madison county shall be required, by notice from the Sheriff of said county, to be published in writing on the door of the Court House in said county, thirty days before the election, to give their votes on the first Monday and day following in November next, for the place where they wish the seat of Justice for said county to be permanently located—and each voter shall write the name of the place he prefers for said seat of Justice on his ticket; and the place having a majority of the voters of said county, shall be fixed upon and established as the seat of Justice for said county; and the board of county police of said county shall have power to erect suitable public buildings at the place that shall be so designated by the people as their seat of Justice for said county”—

Which being read the first time,

A motion was made by Mr. Vannorman, that the same be rejected.

And after debate,

The previous question was called for by Mr. Harper, and being demanded by a majority of the members present,

The said previous question was then put, viz:

Shall the main question be now put?

And decided in the affirmative.

The said main question was then put, viz:

Shall the said rider be rejected?

And decided in the affirmative.

YEAS 18—NAYS 15.

The yeas and nays being called for by three of the members present:

Those who voted in the affirmative are—

Messrs. Allen, Barnes, Beasley, Beatie, Bingaman, Bole, Brewer, Carter, Demoss, Edwards, Harper, Learned, McDonald, Morrison, Ragan, Shurtleff, Vannerson, Vannorman—13.

Those who voted in the negative are—

Messrs. Speaker, Bell, Boyd, Dunbar, Ellis, Howard, Keegan, McRae, Pendleton, Richardson, Shelby, Stockton, Tucker, Vance, Vick—15.

The question was then taken on the passage of said bill as amended, And decided in the affirmative.

Ordered, that the title of said bill be as stated.

Ordered, that the clerk carry said bill to the Senate, and request their concurrence therein.

The bill to be entitled

An act to incorporate the Mississippi Insurance Company at Vicksburg,

Was read the third time.

Mr. Keegan moved that said bill be amended by way of rider, as follows:

Add at the end of said bill the words, to wit:

Sec. And be it further enacted, that nothing in this act shall be so construed as to confer on said commissioners banking privileges.

Whereupon,

Said rider was read the first time.

On motion of Mr. Keegan,

The rule was dispensed with, and said rider was read the second time.

On motion of Mr. Keegan,

The rule was further dispensed with, said rider considered as engrossed, read a third time, and with the bill, put upon its passage.

It was then moved, by Mr. Demoss, that said bill be recommitted to the committee to whom it was last committed;

And the question being taken thereon,

It was decided in the negative.

It was then moved, by Mr. Boyd, further to amend said bill by way of rider, as follows:

Sec. — *Be it further enacted*, That the real estate of said corporation secured by mortgage or deed of trust, in conformity with the provisions of the 3rd section of this act, shall be liable to be levied on and sold under execution for the debts of said corporation, as other real and personal estate belonging to said Insurance Company may be sold.

Whereupon,

Said rider was read the first time.

On motion of Mr. Boyd,

The rule was dispensed with, and said rider was read the second time.

On motion of Mr. Boyd,

The rule was further dispensed with, said riders considered as engrossed, read a third time, and together with the bill, put upon its passage.

And the question being put, shall the said bill with the said riders pass? It was decided in the affirmative.

YEAS 20—NAYS 13.

The yeas and nays being called for by three of the members present:

Those who voted in the affirmative are—

Messrs. Barnes, Beatie, Bingaman, Bole, Boyd, Carter, Dunbar, Howard, McRae, McDonald, Morrison, Pendleton, Richardson, Shelby, Shurt-
Jeff, Stockton, Vance, Vick, Vannerson, Vannorman—20.

* Those who voted in the negative are—

Messrs. Speaker, Allen, Beasley, Bell, Brewer, Demoss, Edwards, Ellis, Harper, Keegan, Learned, Ragan, Tucker—13.

So the bill passed.

Ordered, that the title thereof be as stated, and that the clerk carry said bill to the Senate, and request their concurrence therein.

A message from the Senate, by Mr. Gilbert, their reading clerk:

MR. SPEAKER:

The Senate have passed a bill from the House of Representatives to authorize the board of County Police of Simpson county to levy a special tax, and for other purposes, with some amendments thereto.

They have also passed a bill for the relief of Edward Synco, and a bill to be entitled

An act to attach a part of the Territory now subject to the jurisdiction of the county of Rankin, to the county of Madison.

In which bills and amendments I am instructed to ask the concurrence of this House.

They have refused to pass the bill to be entitled

An act to authorize the building of a toll bridge across the Yellow Bu-
sha.

The President of the Senate has signed a resolution for the relief of the heirs of Samuel C. Wooldridge, deceased.

And then he withdrew.

Mr. Dunbar, from the joint committee on accounts, made the following report:

MR. SPEAKER:

The joint committee on accounts, on a careful examination of the books of the Auditor and Treasurer, and of the vouchers in their respective offices in support of the same, have instructed me to make the following

REPORT:

The balance in the Treasury on the 31st December, 1832, as exhibited by the Treasurer's report, which corresponds with his books, was

\$14,991 32 3-4

Amount of receipts into the Treasury during the month of January, 1833,

1,544 66 1-2

* Making

\$16,535 99 1-4

Amount of disbursements, during the month of January, 1833,	\$7,245 36 1-4
Balance, agreeably to the Treasurer's books,	\$9,290 63
Balance actually remaining in the Treasury on the 31st of January, 1833,	\$9,300 25
Making an excess in favor of the State,	9 62
The balance in the Treasury on the 31st of December, 1832, agreeably to the Auditor's report,	\$14,850 17 1-2
Error in Auditor's books, overcharge in warrant No. 122, on account of the Judiciary,	93 00
Ditto, ditto, in warrant No. 228,	72 00
	\$165 00
Undercharge on account of Judiciary Department, in warrant No. 257, omitted,	25 00
	140 00
Error in issuing warrant No. — overcharge,	1
	\$14,991 17 1-2
Difference between Auditor's and Treasurer's accounts,	15 1-2
	\$14 931 32 3-4

In the Auditor's report of balances due to the State, there is an omission of \$10, due by Robert Steen, tax collector of Rankin county.

The committee of accounts, in their examination of the evidences of claims against the State on file in the Auditor's office, deeply sensible of the responsibility under which they acted, deem it necessary, to call to the consideration of the House a subject which they would gladly have passed over in silence, could they have done so consistently with what they conceived to be their bounden duty, as guardians of the public Treasury. They have reference to the extra compensation paid to the members and officers of the late Convention, allowed, as your committee conceive, without the authority of law.

Upon an examination of the accounts filed in the Auditor's office, the committee find that the following named members of the Convention claimed no more than the compensation provided for by law, viz: John A. Quitman, J. W. Pendleton, Jas. Jones and Gerard C. Brandon; and that no claim has been presented for the compensation of John Black.

The committee also found that B. Kennedy charged in his account for 100 miles, and W. P. Rose for 108 miles travelling more than they were entitled to, amounting in the whole to fifty-two dollars. This sum has been repaid into the State Treasury, and the receipt of the Treasurer exhibited to your committee; and those persons have given full satisfaction to the committee that the overcharge originated entirely in unintentional mistake.

The following statement exhibits the names of those members and officers of the Convention who received the extra compensation and additional allowance of five cents per mile for travelling to and returning from the Seat of Government, with the sums respectively received by them:

MEMBERS.

P. R. R. Pray, <i>President</i> , \$4 per day extra and milage,	\$211
Issuing writs of Election, \$40,	\$251
S. Duncan, \$1 per day and milage,	58
V. C. Hicks,	50 50
D. W. Wright,	62
Andrew Knox,	69 50
S. M. Grayson,	59
D. Greenleaf,	53 50
P. T. Williams,	56
J. B. Lowe,	50
R. Hunt,	59
J. Cain,	58
F. Freeland,	55
E. T. Farrish,	62
T. Gale,	54
T. P. Falconer,	64 50
D. McRae,	65
D. Dickson,	48
F. Pope,	54
R. A. Stewart,	59 50
C. Lynch,	58 00
A. M. Keegan,	57
J. J. Morris,	57
W. C. Seamon,	70
G. Higgaon,	64
Wm. P. Rose,	51 60
B. Kennedy,	51
L. Bacot,	57
J. Y. McNabb,	57
R. M. Williamson,	50
D. McLaughlin,	57 50
S. Granberry,	52 50
W. J. Austin,	48 00
C. Jefferson,	56
N. Jones,	59
	\$2,134 10
Jas. Scott, \$1 per day and milage,	48 50
D. McMillan,	58

N. G. Howard,	48	50
J. Johnson,	61	00
W. Hale,	16	
H. Runnels,	\$49	60
Undercharge 28 miles,	5	60
R. T. Floyd,	52	50
W. J. Redd,	52	50
U. Magee,	52	50
J. F. Trotter,	59	50
	\$	493 00
		2134 10
Members,		\$2627 10

OFFICERS.

J. H. Mallory, Secretary, 47 days at \$4,	\$188
W. A. Faris, Assistant Secretary, 46 days at \$2,	92
A. Lindsey, Reading Clerk, 45 days, at \$2,	90
J. G. Anderson, Serjeant at Arms, 47 days, at \$1,	47
L. Whitesides, Door-Keeper,	47
Officers,	\$464
	2627 10
	\$3091 10

The 4th section of the act for holding a Convention in this State, approved December 16th, 1831, provides that the officers and members of the Convention shall be respectively allowed the same compensation in all respects, as is allowed by law to officers and members of the General Assembly, and on the delivery of a certificate of the sum due, under the hand of the President of the Convention, the Auditor shall issue his warrant for the amount on the Treasurer, to be paid out of any money in the Treasury, not otherwise appropriated;—And the 2d section of an act passed June 14th, 1822, fixing the compensation of the members of both Houses of the General Assembly and their officers, &c., provides that the President of the Senate and Speaker of the House of Representatives shall each be entitled to receive six dollars per day, and each other member of the House of Representatives and of the Senate, four dollars for each and every day's attendance, and four dollars for every twenty miles in coming to and returning from the place where the General Assembly shall sit. The 3d section allows to the Secretary of the Senate and clerk of the House of Representatives each six dollars per day, and the enrolling and engrossing clerks, each four dollars per day; the reading clerks, when employed, each four dollars per day; the door-keeper three dollars

per day, and the serjeant at arms four dollars per day:—Your committee are therefore of the opinion that the Auditor ought to have been governed by the provisions of the above recited acts in issuing his warrants.

Your committee are aware that their sphere of action is prescribed by the law, and are sensible of the delicacy with which they should approach the proceedings, or call in question the powers of the Convention, on this subject, and it is with extreme diffidence they express any opinion thereon; but at the same time they feel themselves impelled by a sense of duty paramount to all other considerations, and therefore are decidedly of the opinion that neither of the before recited acts, nor the laws regulating and prescribing the duties of the Auditor, were abrogated by the Convention, and believe the Convention transcended their powers in demanding a higher rate of compensation than was prescribed by law.

Signed,

JO. DUNBAR, *Chairman*,

On motion of Mr. Keegan,

Ordered, that said report be received.

Mr. Keegan moved, that the same lie on the table.

And the question being taken thereon,

It was decided in the negative.

It was then ordered, on motion of Mr. Bingaman, that said report be committed to a committee of the whole House, and made the order of the day for Thursday next.

The House, according to the order of the day, resolved itself into a committee of the whole House on the bill to be entitled

An act to authorize the board of county police of the several counties in this state to lease the school lands within the limits of the same, and for other purposes; Mr. Vannorman in the chair,

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Vannorman reported, that the committee of the whole House had, according to order, had said bill under consideration, had made some progress therein, but having come to no determination, had instructed him to ask leave to sit again.

On motion of Mr. Vannorman,

Ordered, that said bill be committed to a select committee of three members.

And in pursuance thereto,

Messrs. Boyd, Tucker and Bell, were appointed.

Mr. Howard moved that the House adjourn.

And the question being taken thereon,

It was decided in the negative.

The House then, on motion of Mr. Keegan, adjourned till half past six o'clock, P. M.

HALF PAST 6 O'CLOCK, P. M.

The House met pursuant to adjournment—

The bill from the Senate entitled, to wit:

An act to attach a part of the territory now subject to the jurisdiction of the county of Rankin to the county of Madison,

Was read the first time.

On motion of Mr. Tucker,

Ordered, that said bill lie on the table.

The bill from the Senate entitled, to wit:

An act for the relief of Edward Synco—

Was read the first time.

Mr. Vannorman moved that said bill lie on the table.

And the question being taken thereon,

It was decided in the negative.

Mr. Tucker moved that the same be rejected.

And after debate,

The previous question was called for by Mr. Barnes, and being demanded by a majority of the members present,

The said previous question was then put, viz:

Shall the main question being now put,

And decided in the affirmative.

The said main question was then put, viz:

Shall the said bill be rejected?

And decided in the negative.

The House, according to the order of the day, resolved itself into a committee of the whole on the bill to be entitled

An act concerning the powers and jurisdiction of the Circuit Courts of law in this State, Mr. Carter in the chair,

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Carter reported, that the committee of the whole House had, according to order, had said bill under consideration, had made an amendment thereto, and had instructed him to report the same as amended.

On motion of Mr. Carter,

Ordered, that said report be received and agreed to.

On motion of Mr. Boyd,

Ordered, that said bill be engrossed and made the order of the day for a third reading on to-morrow.

The bill from the Senate to be entitled

An act to authorize John W. Thompson to build a bridge over Bayou Pierre,

Was in order for a second reading.

On motion of Mr. Barnes,

The rule was dispensed with, and said bill was read the second time by its title.

Whereupon,

On motion of Mr. Barnes,

Ordered, that said bill be committed to a select committee of three members.

And in pursuance thereto,

Messrs. Barnes, Stockton and Bingaman, were appointed.

The bill from the Senate to be entitled

An act to incorporate a church, called Ebenezer, in the county of Copiah, and for other purposes—

Was read the second time.

On motion of Mr. Keegan,

Ordered, that said bill be made the order of the day for a third reading on to-morrow.

The bill to be entitled

An act to divide Lowndes county, and to define the boundaries thereof, and to lay off and define the boundaries of new counties, and for other purposes—

Was read the second time.

On motion of Mr. Bell,

Ordered, that said bill be committed to a committee of the whole House and made the order of the day for to-morrow.

The bill to be entitled

An act to prescribe the form of commission in this State,

Was read the the second time.

Mr. Vannerson moved that the same be indefinitely postponed.

And the question being taken thereon,

It was decided in the negative.

On motion of Mr. Boyd,

Ordered, that said bill be committed to a committee of the whole House and made the order of the day for Thursday next.

The bill to be entitled

An act to amend the seventh chapter of the acts for the year 1824, and the 81st chapter of the acts of 1831—

Was read the second time.

On motion of Mr. Brewer,

The rule was dispensed with, and said bill considered as engrossed, read a third time forthwith, and put upon its passage.

And the question being put, shall the bill pass?

It was decided in the affirmative.

Ordered, that the title of said bill be as stated.

Ordered, that the clerk carry said bill to the Senate, and request their concurrence therein.

The bill to be entitled

An act to amend an act entitled 'an act to incorporate the town of Raymond, in the county of Hinds, approved December 15th, 1830.'—

Was in order for a second reading.

Mr. Barnes moved that the rule be dispensed with, and that said bill be read by its title.

And after debate—

The previous question was called for by Mr. Barnes, and being demanded by a majority of the members present—

The said previous question was then put, viz:

Shall the main question be now put?

And decided in the affirmative.

The said maid question was then put, viz:

Shall the rule be dispensed with, and said bill be read the second time by its title?

And decided in the affirmative.

Whereupon,

Said bill was read the second time by its title.

On motion of Mr. Morrison,

Ordered, that said bill be committed to a committee of the whole House and made the order of the day for to-morrow.

The bill to be entitled

An act to authorize the administratrix of the estate of William Flurry, deceased, to remove the personal property of said deceased into the State of Alabama—

Was read the second time.

On motion of Mr. Tucker,

Ordered, that said bill be indefinitely postponed.

The bill be entitled

An act to define certain duties of the Governor, and to establish his salary—

Was read the second time.

On motion of Mr. Vannerson,

Ordered, that said bill be committed to a committee of the whole House, and made the order of the day for to-morrow.

And then the House adjourned

Wednesday, February 13, 1833.

The House met pursuant to adjournment.

Mr. McDonald asked and obtained leave to introduce a bill to be entitled

An act to compel the clerks and registers of Jackson county, to keep their offices at the Court House of said county—

Which was read the first time.

Mr. Shurtleff submitted the following resolution:

Resolved, that the standing rule requiring the House to meet at 9 o'clock, A. M., be rescinded, and the House meet at the hour of half past 8 o'clock, A. M.

Mr. Shurtleff moved that the rule requiring one days' notice to be given on a motion to rescind or change a standing rule or order of the House be dispensed with, and that said resolution be read forthwith and adopted.

And the question being taken thereon,

It was decided in the negative.

Whereupon,

On motion of Mr. Demoss,

It was ordered, that said resolution be rejected.

Mr. Beatie, from the select committee to whom was referred the petition of Lewis Gertley, praying the passage of an act, authorizing the sale of a certain tract of land therein mentioned, the property of Joseph Smith Davis, a minor residing in the county of Madison—

Reported, that the committee had, according to order, had said petition under consideration, and had instructed him to report that the prayer of the petitioner is fully provided for by a general law, and that it is inexpedient to pass any special act on the subject.

On motion of Mr. Beatie,

Ordered, that said report be received and agreed to.

The bill from the Senate to be entitled

An act for the relief of William Clark and William Cooper—

Was read the third time.

And the question being put, shall the bill pass?

It was decided in the negative.

YEAS 14 — NAYS 16.

The yeas and nays being called for by three of the members present:

Those who voted in the affirmative are—

Messrs. Allen, Beatie, Bole, Demoss, Dunbar, Edwards, Learned, McRae, Morrison, Pendleton, Richardson, Shurtleff, Stockton, Vick—14.

Those who voted in the negative are—

Messrs. Speaker, Barnes, Beasley, Boyd, Brewer, Carter, Ellis, Harper, Keegan, Martin, McDonald, Powel, Ragan, Tucker, Vance, Vannorman—16.

On motion of Mr. Dunbar,

Ordered, that Mr. Dixon be excused from further attendance on the House until Monday next.

The bill from the Senate to be entitled

An act, to incorporate a Church called Ebenezer, in the county of Copiah, and for other purposes—

Was read the third time and passed with its title as stated.

Ordered, that the clerk acquaint the Senate therewith.

The bill to be entitled

An act concerning the powers and jurisdiction of the Circuit Courts of law in this State—

Was read the third time,

Whereupon,

On motion of Mr. Boyd,

The House forthwith resolved itself into a committee of the whole on said bill—Mr. Vannerson in the chair.

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Vannerson reported, that the committee of the whole House had, according to order, had said bill under consideration, had made an amendment thereto, and had instructed him to report the same as amended.

On motion of Mr. Vannerson,

Ordered, that said report be received and agreed to.

On motion of Mr. Vannorman,

Said bill was considered as re-engrossed and put upon its passage.

And the question being put, shall the bill pass?

It was decided in the affirmative.

YEAS 25—NAYS 7.

The yeas and nays being demanded by three of the members present:

Those who voted in the affirmative are—

Messrs. Speaker, Allen, Barnes, Beasley, Beatie, Bole, Boyd, Brewer, Dunbar, Edwards, Ellis, Howard, McRae, McDonald, Morrison, Pendleton, Powel, Ragan, Richardson, Shurtleff Stockton, Tucker, Vick, Vannerson, Vannorman—25.

Those who voted in the negative are—

Messrs. Bell, Carter, Demoss, Harper, Keegan, Learned, Martin—7.

Ordered, that the title of said bill be as stated.

Ordered, that the clerk carry said bill to the Senate, and request their concurrence therein.

Mr. Stockton, from the joint committee on enrolled bills, made the following report:

MR. SPEAKER:

The joint committee on enrolled bills have, on this day, examined a resolution in relation to the post-office at Jackson, and have found the same correctly enrolled.

The Speaker signed said resolution.

Ordered, that the clerk carry it to the Senate for the signature of the President thereof.

On motion of Mr. Powel,

The House concurred in the amendments made by the Senate to the bill to be entitled

An act to authorize the board of county police of Simpson county to levy a special tax, and for other purposes.

Ordered, that the clerk acquaint the Senate therewith.

A message from the Senate, by Mr. Gilbert, their reading Clerk.

MR. SPEAKER:

The President of the Senate has this day signed a resolution in relation to the Post-Office at Jackson.

And then he withdrew.

The House, according to the order of the day, resolved itself into a committee of the whole on the bill to be entitled

An act to divide Lowndes county, and to define the boundaries of new counties, and for other purposes—Mr. Pendleton in the chair.

And after some further time spent therein,

The Speaker resumed the chair, when

Mr. Pendleton reported, that the committee of the whole House had, according to order, had said bill under consideration, had made some progress therein, but having come to no determination thereon, had instructed him to ask leave to sit again at two o'clock, P. M.

On motion of Mr. Pendleton,

Ordered, that said report be received and agreed to.

And then the House adjourned till 2 o'clock, P. M.

2 O'CLOCK, P. M.

The House met pursuant to adjournment.

Mr. McDonald moved a reconsideration of the vote taken on the bill from the Senate to be entitled

An act for the relief of William Clark and William Cooper.

It was then moved, by Mr. Barnes, that there be a call of the House.

And the question being taken thereon,

It was decided in the affirmative.

The roll of the members was then called by the clerk, when it was found that the following named members answered to their names:

Messrs. Allen, Barnes, Bell, Bole, Carter, Demoss, Edwards, Ellis, Harper, Keegan, Martin, McRae, McDonald, Morrison, Pendleton, Powel, Ragan, Shurtleff, Stockton, Tucker, Vance, Vannerson—22.

On motion of Mr. Barnes,

Ordered, that the absent members be sent for.

It was then ordered, on motion of Mr. Keegan, that the House proceed to business

Whereupon,

The question was taken on the motion made by Mr. McDonald to reconsider the vote taken on said bill,

And decided in the affirmative.

The question was then taken on the passage of said bill,

And decided in the affirmative.

YEAS 18—NAYS 13.

The yeas and nays being demanded by three of the members present:

Those who voted in the affirmative are—

Messrs. Allen, Barnes, Beatie, Bngaman, Bole, Demoss, Danbar, Edwards, Learned, Martin, McRae, McDonald, Morrison, Shelby, Shurtleff, Stockton, Vick, Vannerson—18.

Those who voted in the negative are—

Messrs. Speaker, Beasley, Bell, Boyd, Carter, Ellis, Harper, Keegan, Pendleton, Powel, Ragan, Tucker, Vannorman—13.

So the bill passed.

Ordered, that the title thereof be as stated.

Mr. Stockton, from the joint committee on enrolled bills, made the following report:

B*

Mr. Speaker:

The joint-committee on enrolled bills have this day presented to His Excellency the Governor,

A resolution for the relief of the heirs of Samuel C. Wooldrige, deceased; and

A resolution in relation to the Post-Office at Jackson,

And have examined a bill entitled

An act to authorise the board of county police of Simpson county to levy a special tax, and for other purposes—and found the same correctly enrolled.

The Speaker signed said bill.

Ordered, that the clerk carry it to the Senate for the signature of the President thereof.

Mr. Harper, from the select committee to whom was referred the bill to be entitled

An act to establish and change election precincts in certain counties—

Reported, that the committee had, according to order, had the same under consideration, had made an amendment thereto, and instructed him to report the same as amended.

On motion of Mr. Harper,

Ordered, that said report be received; and

On motion of Mr. Tucker,

It was ordered that the same do lie on the table.

Mr. Barnes submitted the following resolution:

Resolved, that with the concurrence of the Senate, the two Houses go into joint meeting in the Representative Hall on Monday, the 18th instant, at 12 o'clock, meridian, for the purpose of electing a public printer for the ensuing year.

On motion of Mr. Barnes,

The rule was dispensed with, and said resolution was read a second time.

It was then moved, by Mr. Bell, to amend said resolution by adding at the end thereof the words following, to wit:

And also for the purpose of electing a Senator to the Congress of the U. States, for the term of six years from the 4th day of March next.

And the question being taken thereon,

It was decided in the negative.

The question was then taken on the adoption of said resolution,

And decided in the affirmative.

A motion was then made, by Mr. Vannerson, that said vote be reconsidered.

And after debate—

The previous question was called for by Mr. Dunbar, and being demanded by a majority of the members present,

The said previous question was then put, viz:

Shall the main question be now put?

And decided in the affirmative.

The said main question was then put, viz:

Shall the said vote be reconsidered?

And decided in the affirmative.

The vote taken on the amendment proposed by Mr. Bell to the said resolution, was then reconsidered.

Whereupon,

Mr. Bell asked and obtained leave to withdraw the same.

The question was then taken on the re-adoption of said resolution,

And decided in the affirmative.

Ordered, that the clerk acquaint the Senate therewith, and desire their concurrence therein.

A message from the Senate, by Mr. Gilbert, their reading clerk:

MR. SPEAKER:

The Senate have passed bills from the House of Representatives of the following titles, viz:

A bill to be entitled

An act for the relief of John Thompson.

A bill to be entitled

An act to incorporate the Pearl River Academy, in the county of Madison; and

A bill to be entitled

An act to designate in what Courts suits may be brought against the State of Mississippi.

They have refused to pass the bill to be entitled

An act to incorporate the town of Clinton, in the county of Hinds.

They have concurred in the amendments made by the House of Representatives to the resolution for the establishment of a distributing Post Office at Jackson.

The House, according to the order of the day, resumed in committee of the whole, the consideration of the bill to be entitled

An act to divide Lowndes county, and to define the boundaries thereof, and to lay off and to define the boundaries of new counties, and for other purposes; Mr. Pendleton again in the chair.

And after some time spent therein,

The Speaker resumed the chair, when

Mr. Pendleton reported, that the committee of the whole House had, according to order, had said bill under consideration, had made some progress therein, but having come to no determination, had instructed him to ask leave to sit again.

On motion of Mr. Pendleton,

Ordered, that said report be received and agreed to.

It was then moved, by Mr. Tucker, that there be a call of the House.

And the question being taken thereon,

It was decided in the affirmative.

The roll of the members was then called by the clerk, when it was found that the following named numbers answered to their names:

Messrs. Barnes, Beatie, Bell, Bingaman, Bole, Boyd, Carter, Demoss, Dunbar, Edwards, Ellis, Harper, Keegan, Learned, McRae, Morrison, Pendleton, Ragan, Richardson, Shelby, Shurtleff, Stockton, Tucker, Vance, Vick, Vannerson, Vannorman—27.

On motion of Mr. Ragan,

It was ordered that the absent members be sent for.

It was then ordered, on motion of Mr. Keegan, that the House proceed to business.

Whereupon,

On motion of Mr. Tucker,

The House resumed in committee of the whole the consideration of the bill to be entitled

An act to divide Lowndes county, and to define the boundaries thereof, and to lay off and define the boundaries of new counties, and for other purposes; Mr. Pendleton again in the chair.

And after some time spent therein,

A message from the Senate was announced at the bar of the Hall by the door keeper.

Whereupon,

The Speaker resumed the chair; when

The following message was received from the Senate, by Mr. Gilbert, their reading clerk:

MR. SPEAKER:

The Senate have concurred in the amendments made by this House to the bill which originated in the Senate, to be entitled

An act for the relief of William Clark and William Cooper.

And then he withdrew.

Whereupon,

The House resumed in committee of the whole, the consideration of the said bill—Mr. Pendleton again in the chair.

And after some further time spent therein,

The Speaker resumed the chair; when

Mr. Pendleton reported, that the committee of the whole had, according to order, again had under consideration the said bill, had made some progress therein, but having come to no determination, had instructed him to ask leave to sit again at half past 6 o'clock, P. M.

On motion of Mr. Pendleton,

Ordered, that said report be received and agreed to.

Whereupon,

It was moved by Mr. Howard, that the House adjourn.

And the question being taken thereon,

It was decided in the negative.

The House then, on motion of Mr. Bingaman, adjourned till half past 6 o'clock, P. M.

HALF PAST 6 O'CLOCK, P. M.

The House met pursuant to adjournment—

When a motion was made by Mr. Ellis, that the House adjourn.

And the question being taken thereon.

It was decided in the negative.

The House then, according to the order of the day, resumed in committee of the whole, the consideration of the bill to be entitled

An act to divide Lowndes county, and to define the boundaries thereof, and to lay off and define the boundaries of new counties, and for other purposes—Mr. Barnes in the chair.

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Barnes reported, that the committee of the whole House had, according to order, had said bill under consideration, had made some progress therein, but not having time to go through with the whole of the business, had instructed him to ask leave to sit again at 9 o'clock, A. M. on to-morrow.

On motion of Mr. Barnes,

Ordered, that said report be received and agreed to.

And then the House adjourned.

Thursday, February 14, 1833.

The House met pursuant to adjournment.

Mr. Boyd asked, and obtained leave to introduce a bill to be entitled

An act to amend the several acts now in force incorporating, and concerning the town of Woodville—

Which was read the first time.

On motion of Mr. Carter,

The House proceeded to consider the petition of Elias Newell, paying the passage of an act nullifying a certain deed of gift made by him to his son Derrill Y. Newell.

On motion of Mr. Carter,

Ordered, that said petition be referred to a select committee of three members,

And in pursuance thereto,

Messrs. Carter, Edwards, and McRae were appointed.

The bill to be entitled

An act to divide Lowndes county, and to define the boundaries thereof, and to lay off and define the boundaries of new counties, and for other purposes,

Was in order for a committee of the whole House.

Mr. Keegan moved, that the order on said bill be postponed until Monday next.

And the question being taken thereon,

It was decided in the negative.

Whereupon,

The House, according to the order of the day, resolved itself into a committee of the whole on said bill—Mr. Barnes in the chair.

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Barnes reported that the committee of the whole House had, according to order, had said bill under consideration, had made sundry amendments thereto, and had instructed him to report the same as amended.

Mr. Barnes moved that said report be received and agreed to.

A division of the question being called for, it was taken on receiving said report—

And decided in the affirmative.

The question then recurred on agreeing to said report.

When a debate arose—

And the previous question was called for by Mr. Bingham, and being demanded by a majority of the members present—

The said previous question was then put, viz:

Shall the main question be now put?

And decided in the affirmative.

On motion of Mr. Bingham,

Said vote was re-considered.

When it was moved by Mr. Pendleton, that the House adjourn till two o'clock, P. M.

And the question being taken thereon,

It was decided in the negative.

It was then ordered, on motion of Mr. Bell, that the House agree to the 1st, 2nd, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 14th and 15th of said amendments.

Whereupon,

It was moved by Mr. Keegan, that the House agree to the 16th of said amendments.

A motion was then made by Mr. Bell, that the same be amended as follows:

Strike out the word "December," and insert in lieu thereof the word "October."

A division of the question being demanded by Mr. Dunbar,

The question recurred on striking out;

When a debate arose—

And the previous question was called for by Mr. Dunbar, and being demanded by a majority of the members present—

The said previous question was then put, viz:

Shall the main question be now put?

And decided in the affirmative.

The said main question was then put, viz:

Shall the word "December," proposed to be stricken out in the amendment to the said 16th amendment be stricken out?

And decided in the negative.

YEAS 11—NAYS 22.

The yeas and nays being demanded by three of the members present:

Those who voted in the affirmative are—

Messrs. Beatie, Bell, Bole, Boyd, Howard, Learned, Morrison, Pendleton, Shelby, Tucker, Vance—11.

Those who voted in the negative are—

Messrs. Speaker, Allen, Barnes, Beasley, Bingaman, Brewer, Carter, Demoss, Dunbar, Edwards, Harper, Keegan, Martin, McRae, McDonald, Powell, Ragan, Richardson, Shurtleff, Stockton, Vick, Vannerson—22.

The question was then taken on the said 16th amendment.

And decided in the affirmative.

YEAS 23—NAYS 10.

The yeas and nays being called for by three of the members present:

Those who voted in the affirmative are—

Messrs. Speaker, Allen, Barnes, Beasley, Bingaman, Brewer, Carter, Demoss, Dunbar, Edwards, Harper, Keegan, Martin, McRae, McDonald, Pendleton, Powell, Ragan, Richardson, Shurtleff, Stockton, Vick, Vannerson—23.

Those who voted in the negative are—

Messrs. Beatie, Bell, Bole, Boyd, Howard, Learned, Morrison, Shelby, Tucker, Vance—10.

On motion of Mr. Keegan,

Ordered, that said bill be engrossed and made the order of the day for a third reading on to-morrow.

Mr. Stockton made the following report:

MR. SPEAKER:

The joint committee on enrolled bills have this day examined bills of the following titles, to wit:

An act to designate in what manner, and in what Courts suits may be brought against the State of Mississippi.

An act to incorporate the Pearl River Academy, in the county of Madison.

An act for the relief of John Thompson.

An act to incorporate a Church called Ebenezer, in the county of Copiah, and for other purposes;—and

An act for the relief of William Clark and William Cooper.

And have found the same correctly enrolled.

The Speaker signed said bills.

Ordered, that the clerk carry them to the Senate, for the signature of the President thereof.

The House adjourned till 2 o'clock, P. M.

2 o'clock, P. M.

The House met pursuant to adjournment—

And according to the order of the day, resolved itself into a committee of the whole, on the bill to be entitled

An act, to amend an act entitled "An act, to incorporate the town of Raymond, in the county of Hinds, approved 15th December, 1830"—Mr. Learned in the chair.

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Learned reported, that the committee of the whole House had, according to order, had said bill under consideration, and had instructed him to report the same without amendment.

On motion of Mr. Learned,

Ordered, that said report be received and agreed to.

On motion of Mr. Morrison,

Ordered, that said bill be engrossed and made the order of the day for a third reading on to-morrow.

The House, according to the order of the day, resolved itself into a committee of the whole, on the bill to be entitled

An act, to define certain duties of the Governor, and to establish his salary—Mr. Bell in the chair.

And after some time spent therein,

The Speaker resumed the chair, when

Mr. Bell reported, that the committee of the whole House had, according to order, had said bill under consideration, had made sundry amendments thereto, and had instructed him to report the same as amended.

On motion of Mr. Bell,

Ordered, that said report be received and agreed to.

On motion of Mr. Keegan,

Ordered, that said bill be engrossed and made the order of the day for a third reading on to-morrow.

On motion of Mr. Keegan,

The House proceeded, in committee of the whole, to consider the report of the committee of accounts—Mr. Stockton in the chair.

And after some time spent therein,

A message from the Senate was announced at the bar of the House by the door-keeper.

Whereupon,

The Speaker resumed the chair; when

The following message was received from the Senate, by Mr. Gilbert, their reading Clerk.

MR. SPEAKER:

The President of the Senate did, on yesterday, sign a bill to be entitled An act to authorize the board of county police of Simpson county to levy a special tax, and for other purposes; which bill originated in this House.

The Senate have rejected a bill to be entitled
An act concerning the powers and jurisdiction of the Circuit Courts
of law in this State;

Which bill also originated in this House.

The Senate have given leave for the introduction of a bill to be entitled
An act to provide for the erection of levees in the county of Washington;
and a bill to be entitled

An act for the relief of William A. Woods.

And then he withdrew—

When the House resumed, in committee of the whole, the consideration of the said report; Mr. Stockton again in the chair,

And after some further time spent therein,

A message from the Senate was announced at the bar of the House by the door keeper;

Whereupon,

The Speaker resumed the chair; when

The following message was received from the Senate, by Mr. Gilbert, their reading clerk:

MR. SPEAKER:

The President of the Senate has this day signed acts of the following titles:

An act to incorporate the Pearl River Academy.

An act for the relief of John Thompson.

An act to designate in what manner and in what Courts suits may be brought against the State of Mississippi.

An act to incorporate a Church called Ebenezer, in the county of Copiah, and for other purposes. The three acts first aforesaid originated in this House—the two last named in the Senate.

The Senate have passed a joint resolution, requiring the Secretary of State to transmit a copy of the report of the committee on accounts to the Attorney General of this State; in which resolution I am instructed to ask the concurrence of this House.

And then he withdrew.

The House then resumed, in committee of the whole, the consideration of the said report—Mr. Stockton again in the chair.

And after some further time spent therein,

The Speaker resumed the chair; when

Mr. Stockton reported, that the committee of the whole House had, according to order, had said report under consideration, had made sundry amendments thereto, and had instructed him to report the same as amended.

On motion of Mr. Stockton,

It was ordered, that said report be received.

Whereupon,

Said amendments were read and concurred in by the House.

It was then moved by Mr. Tucker, that said report be amended as follows:

In line 27th, page 2, strike out from the word "committee" the words "and those persons have given full satisfaction to the committee that the overcharge originated entirely in unintentional mistake."

And the question being taken thereon,

It was decided in the negative.

YEAS 3—NAYS 23.

The yeas and nays being demanded by three of the members present:

Those who voted in the affirmative are—

Messrs. Beatie, Bole, Tucker—3.

Those who voted in the negative are—

Messrs. Speaker, Allen, Barnes, Beasley, Bingham, Carter, Demoss, Dunbar, Ellis, Harper, Keegan, Learned, Martin, McDonald, Morrison, Powel, Ragan, Richardson, Shelby, Shurtleff, Stockton, Vick, Vannerson—24.

And then the House adjourned.

Friday, February 15, 1833.

The House met pursuant to adjournment.

Mr. Stockton, from the joint committee on enrolled bills, made the following report:

MR. SPEAKER:

The joint committee on enrolled bills have this day presented to his Excellency the Governor, for his approbation and signature—

An act to authorize the board of county police of Simpson county to levy a special tax, and for other purposes.

An act to designate in what manner and in what courts suits may be brought against the State of Mississippi.

An act to incorporate the Pearl River Academy, in the county of Madison.

An act for the relief of John Thompson.

An act to incorporate a church, called Ebenezer, in the county of Copiah, and for other purposes.

An act for the relief of William Clark and William Cooper.

Mr. Stockton presented the account of William H. D. Denney, assistant quarter Master General, for keeping the public arms from the 1st August, 1832, to the 1st February, 1833.

Mr. Stockton moved that said account be referred to the committee on claims.

Mr. Demoss moved that the same be rejected.

And the question being taken thereon,

It was decided in the affirmative.

Mr. Morrison, from the select committee to whom was referred so much of the Governor's message as relates to Education, made the following report:

MR. SPEAKER:

The committee to whom was referred so much of the Governor's message as relates to Education, have according to order, had the subject matter under consideration, and are of opinion that it is inexpedient, at this time, to adopt any general system of education; and have, in consequence thereof, instructed me to ask leave to be discharged from the further consideration of the subject.

ALEXANDER MORRISON,
Chairman.

On motion of Mr. Morrison,
Ordered, that said report be received.

Mr. McDonald moved that the same be agreed to.

Whereupon,

It was ordered, on motion of Mr. Bell, that the said report lie on the table.

Mr. Barnes, from the select committee to whom was referred the bill from the Senate to be entitled

An act to authorize John W. Thompson to build a bridge over Bayou Pierre—

Reported, that the committee had, according to order, had the same under consideration, had made sundry amendments thereto, and had instructed him to report the same as amended.

On motion of Mr. Barnes,

Ordered, that said report be received.

Whereupon,

Said amendments were read and concurred in by the House.

Mr. Tucker, moved that said bill be indefinitely postponed.

And the question being taken thereon,

It was decided in the negative.

On motion of Barnes,

Ordered, that the said amendments be engrossed, and that the said bill as amended, be made the order of the day for a third reading on to-morrow.

Mr. Morrison, from the select committee to whom was referred the bill to be entitled

An act to reduce into one the several acts relative to strays and drovers, horses, cattle and other stock, and directing marks and brands to be recorded—

Reported, that the committee had, according to order, had said bill under consideration, had made an amendment thereto, and had instructed him to report the same as amended.

On motion of Mr. Morrison,

Ordered, that said report be received.

Whereupon,

Said amendment was read and concurred in by the House.

Mr. Harper moved that said bill be indefinitely postponed.

And the question being taken thereon,

It was decided in the negative.

YEAS 16—NAYS 17.

The yeas and nays being demanded by three of the members present:

Those who voted in the affirmative are—

Messrs. Speaker, Allen, Barnes, Beasley, Bingaman, Edwards, Ellis, Harper, Keegan, Martin, Powel, Ragan, Richardson, Shelby, Stockton, Tucker—16.

Those who voted in the negative are—

Messrs. Beatie, Bell, Bole, Boyd, Brewer, Dunbar, Howard, Learned, McRae, McDonald, Morrison, Pendleton, Shurtleff, Vance, Vick, Vannerson, Vannorman—17.

Mr. Morrison moved that said bill be committed to a committee of the whole, and made the order of the day for to-morrow.

On motion of Mr. Harper,

It was ordered, that the further consideration of said bill be postponed until the third Monday in November next.

On motion of Mr. Bole,

The House proceeded to consider the resolution to dissolve the bonds of matrimony heretofore subsisting between Washington Ellington and Sally Ellington—

Which was read the second time.

On motion of Mr. Stockton,

The rule was dispensed with, and said resolution was considered as engrossed, read a third time forthwith, and put upon its passage.

And the question being put, shall the resolution pass?

It was decided in the affirmative, by a constitutional majority—two thirds of the members concurring therein.

On motion of Mr. Brewer,

The House proceeded to consider the bill to be entitled

An act further to establish and define the boundary line between the counties of Jackson and Hancock—

Which was read the second time.

On motion of Mr. Brewer,

The rule was dispensed with, and said bill considered as engrossed, read a third time forthwith, and put upon its passage.

And the question being put, shall the bill pass?

It was decided in the affirmative.

Ordered, that the title of said bill be as stated.

Ordered, that the clerk carry the said bill and resolution to the Senate, and request their concurrence therein.

On motion of Mr. Harper,

The House proceeded to consider the resolution from the Senate requiring the Secretary of State to transmit to the Attorney General a copy of the report of the committee of accounts—

Which was read the first time.

Mr. Tucker moved that the same be amended by adding at the end thereof, the words following, to wit:

And be it further resolved, that the Attorney General be required, after the third Monday of November next, to institute suit in the name of the State, against the now Auditor of Public Accounts, for the sum of three thousand and ninety one dollars and ten cents—Provided that the same shall not be accounted for and paid into the Treasury of the State prior to the said third Monday of November next, by said Auditor of Public Accounts.

And the question being taken thereon,

It was decided in the affirmative.

Mr. Vannorman moved further to amend the said resolution, by adding at the end thereof, the words following to wit:

And be it further resolved, That the Attorney General be requested to transmit his opinion to the Legislature on the third Monday in November next, with regard to the legality of the right of the Convention to pass a resolution, increasing the pay of the members and officers of the Convention.

And the question being taken thereon,

It was decided in the negative.

It was then moved by Mr. Tucker, further to amend the said resolution as follows:

Strike out after the word "resolved," in the first line, the words "with the concurrence of the House of Representatives, that," and insert, in lieu thereof, the words "by the Legislature of the State of Mississippi."

And the question being taken thereon,

It was decided in the affirmative.

On motion of Mr. Tucker,

The rule was dispensed with, and said resolution was read a second time forthwith.

On motion of Mr. Keegan,

The rule was dispensed with, said amendments considered as engrossed, and the said resolution as amended, read a third time forthwith and put upon its passage.

And the question being put, shall the resolution pass?

It was decided in the affirmative.

Ordered, that the clerk acquaint the Senate therewith.

On motion of Mr. Barnes,

The House proceeded to consider the bill to be entitled

An act for the incorporation of the town of Grand Gulph, in the county of Claiborne.

On motion of Mr. Barnes,

The rule was dispensed with, and said bill was read the second time by its title.

Whereupon,

On motion of Mr. Barnes,

Ordered, that said bill be committed to a select committee of three members—

And in pursuance thereto,

Messrs. Barnes, Stockton and Dunbar were appointed.

On motion of Mr. Bingaman,

The House proceeded to consider the bill to be entitled

An act to incorporate the Big Black Bridge and Turnpike Road Company.

On motion of Mr. Vick,

The rule was dispensed with, and said bill was read the second time by its title.

Whereupon,

On motion of Mr. Bingaman,

Ordered, that said bill be referred to a select committee of three members.

And in pursuance thereto,

Messrs. Vick, Morrison and Demoss were appointed.

Mr. Keegan submitted the following resolution:

Resolved, that all bills of a general nature, and also those that are local, shall be placed separately on the orders of the day.

And after debate—

The previous question was called for by Mr. Barnes, and being demanded by a majority of the members present,

The said previous question was then put, viz:

Shall the main question be now put?

And decided in the affirmative.

The said main question was then put, viz:

Shall the resolution be adopted?

And decided in the affirmative.

On motion of Mr. Shurtleff,

The House proceeded to consider the bill from the Senate to be entitled

An act to amend an act entitled "An act to incorporate the town of Gallatin, passed 4th February, 1829, and for other purposes."

On motion of Mr. Shurtleff,

The rule was dispensed with, and said bill was read the second time by its title.

On motion of Mr. Vannorman,

The rule was further dispensed with, and said bill was read a third time and put upon its passage.

And the question being put, shall the bill pass?

It was decided in the affirmative.

Ordered, that the title of said bill be as stated.

On motion of Mr. Keegan,

The House proceeded to consider the resolution to dissolve the bonds of matrimony heretofore subsisting between James Ray and Louisa Ray—

Which was read the second time.

On motion of Mr. Keegan,

The rule was dispensed with, said resolution considered as engrossed, read a third time forthwith, and put upon its passage.

And the question being put, shall the resolution pass?

It was decided in the affirmative, by a constitutional majority—two thirds of the members concurring therein.

Ordered, that the clerk carry said resolution to the Senate, and desire their concurrence therein.

A message from the Governor, by Mr. Allen, his private Secretary:

MR. SPEAKER:

I am requested by the Governor to inform this House that he has on this day approved and signed the following bills, to wit:

An act to incorporate the Pearl River Academy, in the county of Madison.

An act to designate the manner, and in what Courts suits may be brought against the State of Mississippi.

An act for the relief of John Thompson; and

An act to authorize the board of county police of Simpson county, to levy a special tax, and for other purposes.

All of which bills originated in this House.

And then he withdrew.

On motion of Mr. Vance,

The House proceeded to consider the bill to be entitled

An act for the relief of Joshua Reed—

Which was read the second time.

Mr. Vance moved that the rule be dispensed with, and that said bill be considered as engrossed, read a third time forthwith, and put upon its passage.

And the question being taken thereon,

It was decided in the affirmative.

On motion of Mr. Boyd,

Said vote was reconsidered.

Whereupon,

On motion of Mr. Bole,

The House forthwith resolved itself into a committee of the whole House on the said bill—Mr. Powel in the chair.

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Powel reported, that the committee of the whole House had, according to order, had said bill under consideration, and had instructed him to report the same as amended.

On motion of Mr. Powell,

Ordered, that said report be received and agreed to.

And thereupon,

The rule was dispensed with, said bill considered as engrossed, read a third time forthwith, and put upon its passage.

And the question being put, shall the bill pass?

It was decided in the affirmative.

Ordered, that the title of said bill be as stated.

Ordered, that the clerk carry said bill to the Senate, and request their concurrence therein.

Mr. Dunbar asked and obtained leave to introduce a resolution in relation to N. G. Howard—

Which was read the first time.

And then the House adjourned 'till two o'clock, P. M.

2 O'CLOCK, P. M.

The House met pursuant to adjournment.

On motion of Mr. Demoss,

Ordered, that Mr. Morrison be excused from further attendance on the House until Monday next.

On motion of Mr. Carter,

The House proceeded to consider the bill to be entitled

An act, to authorize the board of county police of Perry county, to levy a county tax, and for other purposes.

On motion of Mr. Carter,

The rule was dispensed with, and said bill was read a second time by its title.

Whereupon,

On motion of Mr. Carter,

The House forthwith resolved itself into a committee of the whole on said bill—Mr. Ragan in the chair.

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Ragan reported, that the committee of the whole House had, according to order, had said bill under consideration, and had instructed him to report the same without amendment.

On motion of Mr. Ragan,

Ordered, that said report be received and agreed to.

On motion of Mr. Carter,

The rule was further dispensed with, and said bill was considered as engrossed, read a third time forthwith, and put upon its passage.

And the question being put, shall the bill pass?

It was decided in the affirmative.

Ordered, that the title of said bill be as stated.

Ordered, that the clerk carry said bill to the Senate, and request their concurrence therein.

On motion of Mr. Boyd,

The House proceeded to consider the bill to be entitled

An act, further to extend the powers and privileges of the West Feliciana Rail Road Company within this State, and for other purposes.

On motion of Mr. Barnes,

The rule was dispensed with, and said bill was read the second time by its title.

On motion of Mr. Boyd,

Ordered, that said bill be committed to a committee of the whole House, and made the order of the day for Monday next.

On motion of Mr. Beasley,

The House proceeded to consider the bill to be entitled

An act to unite the office of Assessor and Collector for Covich county; Which was read the second time.

On motion of Mr. Beasley,

The rule was dispensed with, and said bill considered as engrossed, read a third time forthwith, and put upon its passage.

And the question being put, shall the bill pass?

It was decided in the affirmative.

Ordered, that the title of said bill be as stated.

Ordered, that the clerk carry said bill to the Senate, and request their concurrence therein.

On motion of Mr. McRae,

The House proceeded to the consideration of the bill from the Senate, to be entitled

An act to amend an act for a division of a certain appropriation therein named

Which was read the second time;

On motion of Mr. McRae,

The rule was dispensed with, and said bill read a third time forthwith and put upon its passage.

And the question being put, shall the bill pass?

It was decided in the affirmative.

Ordered, that the title of said bill be as stated.

On motion of Mr. Bell,

The House proceeded to consider the bill from the Senate to be entitled

An act, for the relief of Edward Synco—

Which was read the second time.

Whereupon,

On motion of Mr. Bell,

The House forthwith resolved itself into a committee of the whole on said bill—Mr. Boyd in the chair.

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Boyd reported, that the committee of the whole House had, as

according to order, had said bill under consideration, and had instructed him to report the same without amendment.

On motion of Mr. Boyd,

Ordered, that said report be received and agreed to.

On motion of Mr. Keegan,

Ordered, that said bill be indefinitely postponed.

On motion of Mr. Boyd,

The House proceeded to consider the bill to be entitled

An act to amend the several acts now in force, incorporating and concerning the town of Woodville.

On motion of Mr. Barnes,

The rule was dispensed with, and said bill read a second time forthwith by its title.

On motion of Mr. Boyd,

Ordered, that said bill be committed to a committee of the whole House, and made the order of the day for Monday next.

On motion of Mr. Tucker,

The House proceeded to the consideration of the bill to be entitled

An act to alter and amend "an act, to incorporate the town of Columbus, in the county of Monroe, passed June 27th, 1822, and for other purposes."

On motion of Mr. Barnes,

The rule was dispensed with, and said bill was read a second time.

On motion of Mr. Tucker,

Ordered, that said bill be committed to a committee of the whole House, and made the order of the day for Monday next.

On motion of Mr. Tucker,

The House proceeded to consider the bill to be entitled

An act to alter and amend the charter of the incorporation of the President and Trustees of the Franklin Academy, and to repeal an act entitled "An act, to alter and amend the charter of the corporation of the President and Trustees of the Franklin Academy, in the county of Lowndes, and for other purposes, approved December 19th, 1831."

On motion of Mr. Stockton,

The rule was dispensed with, and said bill was read a second time by its title.

On motion of Mr. Tucker,

Ordered, that said bill be committed to a committee of the whole House, and made the order of the day for Monday next.

Mr. Powel moved a reconsideration of the vote taken on the bill to be entitled

An act, to reduce into one the several acts relative to strays, and drovers, horses, cattle and other stock, and directing stock marks and brands to be recorded.

Mr. Harper moved a call of the House.

And the question being taken thereon,

It was decided in the negative.

The question was then taken on the motion for a reconsideration of the vote taken on said bill.

And decided in the negative.

On motion of Mr. Demoss,

The House proceeded to consider the bill to be entitled

An act to grant a charter to Joel E. Carstarphen, for a bridge to be built over Big Black river, from Hinds to Warren county.

On motion of Mr. Barnes,

The rule was dispensed with, and said bill was read a second time by its title.

Mr. Harper moved that the same be indefinitely postponed;

And the question being taken thereon,

It was decided in the negative.

On motion of Mr. Demoss,

Ordered, that said bill be committed to a committee of the whole House and made the order of the day for to-morrow.

On motion of Mr. Tucker,

The House proceeded to consider the bill to be entitled

An act to empower Talieferro S. Howard to keep a ferry on Noxubby creek—

Which was read the second time.

On motion of Mr. Barnes,

Ordered, that said bill be indefinitely postponed.

On motion of Mr. Demoss,

The House proceeded to consider the bill to be entitled

An act to authorize William Hawes to sell a tract of land therein mentioned—

Which was read the second time.

Mr. Stockton moved that the rule be dispensed with, and said bill considered as engrossed, read a third time forthwith, and put upon its passage.

Whereupon,

On motion of Mr. Powel,

It was ordered that said bill be indefinitely postponed.

On motion of Mr. Beatie,

The House proceeded to consider the bill from the Senate to be entitled

An act to authorize Jesse D. Craft to sell a tract of land therein named—

Which was read the second time.

On motion of Mr. Stockton,

Ordered, that said bill be indefinitely postponed.

On motion of Mr. McDonald,

The House proceeded to consider the resolution to revise and consolidate the laws now in force in this State.

On motion of Mr. Stockton,

Ordered, that said resolution be committed to a committee of the whole House, and made the order of the day for Monday next.

On motion of Mr. Ellis,

The House proceeded to consider the bill to be entitled

An act to authorize the board of police for the county of Jones to levy a special tax, and for other purposes—

Which was read the second time.

On motion of Mr. Ellis,

The House forthwith resolved itself into a committee of the whole on said bill—Mr. Vannerson in the chair.

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Vannerson reported, that the committee of the whole House had, according to order, had said bill under consideration, and had instructed him to report the same without amendment.

On motion of Mr. Vannerson,

Ordered, that said report be received and agreed to.

On motion of Mr. Ellis,

The rule was dispensed with, and said bill considered as engrossed, read a third time forthwith, and put upon its passage.

And the question being put, shall the bill pass?

It was decided in the affirmative.

Ordered, that the title of said bill be as stated, and that the clerk carry said bill to the Senate, and request their concurrence therein.

On motion of Mr. Ragan,

The House proceeded to consider the bill to be entitled

An act to levy a special tax in the county of Covington, and for other purposes—

Which was read the second time.

On motion of Mr. Ragan,

The House forthwith resolved itself into a committee of the whole on said bill—Mr. Brewer in the chair.

And after some time spent therein,

The Speaker resumed the chair, when

Mr. Brewer reported, that the committee of the whole House had, according to order, had said bill under consideration, and had instructed him to report the same without amendment.

On motion of Mr. Brewer,

Ordered, that said report be received and agreed to.

On motion of Mr. Ragan,

The rule was dispensed with, and said bill considered as engrossed, read a third time forthwith, and put upon its passage.

And the question being put, shall the bill pass?

It was decided in the affirmative.

Ordered, that the title of said bill be as stated.

Ordered, that the clerk carry said bill to the Senate, and request their concurrence therein.

On motion of Mr. Ellis,

The House proceeded to the consideration of the bill to be entitled
An act to make valid certain acts of William MacGehee, as Treasurer
of the county of Jones.

On motion of Mr. Ellis,

Ordered, that said bill be referred to a select committee of three mem-
bers.

And in pursuance thereto,

Messrs. Ellis, Tucker and McDonald were appointed.

A message from the Senate, by Mr. Gilbert, their reading clerk:

MR. SPEAKER;

The Senate have passed the bill to be entitled

An act to provide for the erection of a State House and other public
buildings in the town of Jackson, and for the sale of public lots in said
town, and for other purposes, with sundry amendments thereto.

The Senate have also passed the joint resolution to go into the election
of a public printer with an amendment thereto.

The aforesaid bill and resolution originated in the House of Represent-
atives; and in the amendments to them, I am instructed to ask the concu-
rence of this House.

The Governor has notified the Senate that he has this day approved and
signed the following bills and resolutions, to wit:

An act to incorporate a church called Ebenezer, in the county of Co-
piah, and for other purposes.

An act for the relief of William Clark and William Cooper.

A resolution for the relief of the heirs of Samuel C. Wooldridge; and

A resolution in relation to the Post-Office at Jackson; all which bills
and resolutions originated in the Senate.

The Senate have given leave for the introduction of a bill to be entitled

An act to regulate elections in this State; and

A bill to be entitled

An act to repeal the 16th section of an act entitled "an act respecting
the appointment and duties of Sheriffs, passed June 15th, 1822, and for
other purposes."

The Senate have passed a joint resolution for the adjournment, *sine die*,
of both Houses, on Saturday the 23d instant, in which resolution I am
instructed to ask the concurrence of this House.

And then he withdrew.

On motion of Mr. Bingham,

Ordered, that said message lie on the table.

On motion of Mr. Beasley,

The House proceeded to consider the bill from the Senate to be entitled

An act to change an election district in the county of Copiah--

Which was read the second time.

On motion of Mr. Keegan,

Ordered, that said bill lie on the table.

The following written message was received from His Excellency the Governor, by Mr. Allen, his private secretary:

EXECUTIVE CHAMBER,
Jackson, February 15, 1833. }

Gentlemen of the Senate and
House of Representatives—

I have the honor herewith to transmit several resolutions adopted by the legislature of the State of Indiana, in regard to the late Convention of South Carolina, and the President's proclamation in relation thereto.

A. M. SCOTT.

The message and documents were read—

And on motion of Mr. Bell;

It was ordered that the same be referred to the committee raised on the resolution from the States of Maine, New Hampshire, Pennsylvania and Louisiana.

The report of the committee of accounts being in order, it was ordered, on motion of Mr. Bingaman, that the same be agreed to by the House.

The engrossed bill to be entitled

An act to divide Lowndes county and define the boundaries thereof, and to lay off and define the boundaries of new counties, and for other purposes—

Was next in order for a third reading.

On motion of Mr. Bingaman,

Ordered, that the order on said bill be postponed until Monday next.

The engrossed bills entitled, to wit:

An act to define certain duties of the Governor, and to establish his salary; and

An act to amend an act entitled "an act to incorporate the town of Raymond, in the county of Hinds, approved December 15th, 1830"—

Were read the third time, and passed with their titles as stated.

Ordered, that the clerk carry said bills to the Senate, and request their concurrence therein.

The bill to be entitled

An act to prescribe the form of commission in this State,

Was in order for a committee of the whole House.

On motion of Mr. Bingaman,

Ordered, that the order on said bill be postponed until to-morrow.

The bill to be entitled

An act to prescribe the duties of the Secretary of State, and to establish his salary—

Was read the second time.

On motion of Mr. Bell,

The House forthwith resolved itself into a committee of the whole on said bill; Mr. Vick in the chair,

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Vick reported, that the committee of the whole House had, according to order, had said bill under consideration, had made sundry amendments thereto, and had instructed him to report the same as amended.

On motion of Mr. Vick,

Ordered, that said report be received.

The 1st, 2d, 3d, 4th and 5th of said amendments being read, were concurred in by the House.

The 6th amendment was then read and also concurred in by the House.

YEAS 16—NAYS 14.

The yeas and nays being called for by three of the members present:

Those who voted in the affirmative are—

Messrs. Speaker, Allen, Beasley, Bell, Bole, Brewer, Demoss, Harper, Keegan, Martin, Pendleton, Powel, Ragan, Tucker, Vance, Vannorman—16.

Those who voted in the negative are—

Messrs. Barnes, Beatie, Bingaman, Boyd, Dunbar, Ellis, Learned, McRae, McDonald, Shelby, Shurtleff, Stockton, Vick, Vannerson—14.

On motion of Mr. Keegan,

Ordered, that said bill be engrossed and made the order of the day for Monday next.

And then the House adjourned.

Saturday, February 16, 1833.

The House met pursuant to adjournment.

Mr. Tucker, from the select committee to whom was referred the bill to be entitled

An act to authorize the board of county police of the several counties of this State, to lease the school lands within the limits of the same, and for other purposes.—

Reported, that the committee had according to order, had the same under consideration, had made an amendment thereto, and had instructed him to report the same as amended.

On motion of Mr. Tucker,

Ordered, that said report be received and agreed to.

And thereupon,

On motion of Mr. Tucker,

The House forthwith resolved itself into a committee of the whole on said bill—Mr. Vance in the chair.

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Vance reported, that the committee of the whole House had, according to order, had said bill under consideration, had made an amend-

ment thereto, and had instructed him to report the same as amended.

On motion of Mr. Vance,

Ordered, that said report be received and agreed to.

On motion of Mr. Dunbar,

Ordered, that said bill be engrossed and made the order of the day for a third reading on Monday.

On motion of Mr. McDonald,

The House proceeded to the consideration of the message from the Senate received on yesterday, and ordered to lie on the table.

On motion of Mr. Boyd,

Ordered, that the amendments to the bill to be entitled

An act, to provide for the erection of a State House and other public buildings in the town of Jackson, and for the sale of public lots in said town, and for other purposes, lie on the table.

The amendment to the resolution in relation to the election of a Public Printer, was in order.

And, after debate—

The previous question was called for by Mr. Barnes, and being demanded by a majority of the members present.

The said previous question was then put, viz:

Shall the main question be now put?

And decided in the affirmative.

The said main question was then put, viz:

Will the House agree to the said amendment?

And decided in the negative.

The resolution in relation to an adjournment of the two Houses, *since* *die*, being next in order.

It was ordered, on motion of Mr. Dunbar, that the same do lie on the table.

On motion of Mr. Boyd,

The House proceeded to consider the bill to be entitled

An act to incorporate the Buffalo and Homochitto Canal Company and for other purposes.

Which was read the second time.

On motion of Mr. Boyd,

The rule was dispensed with, and said bill was considered as engrossed and read a third time forthwith and put upon its passage:

And the question being put, shall the bill pass?

It was decided in the affirmative.

Ordered, that the title of said bill be as stated.

Ordered, that the clerk carry said bill to the Senate and request their concurrence therein.

Mr. Beatie asked and obtained leave to introduce a bill to be entitled

An act to change and define the boundary lines of Madison county.

Which was read the first time.

The bill from the Senate to be entitled

An act to authorize Jowh W. Thompson to build a bridge over Bayou Pierre,

Was read the third time and passed with its title as stated.

YEAS 24—NAYS 3.

The yeas and nays being demanded by three of the members present:

Those who voted in the affirmative are—

Messrs. Speaker, Allen, Barnes, Beasley, Beatie, Bell, Bole, Brewer, De-
moss, Dunbar, Edwards, Ellis, Howard, Keegan, Martin, McDonald, Ra-
gan, Richardson, Shelby, Shurtleff, Stockton, Vance, Vick, Vannerson—24.

Those who voted in the negative are—

Messrs. Harper, Powell, Tucker—3.

So the bill passed.

Ordered, that the clerk acquaint the Senate therewith, and request their concurrence in the amendments made therein.

The House, according to the order of the day resolved itself into a com-
mittee of the whole House on the bill to be entitled

An act to grant a charter to Joel E. Carstarphen, for a bridge to be
built over Big Black River, from Hinds to Warren county; Mr. Richard-
son in the chair,

And after some time spent therein,

The Speaker resumed the chair, when

Mr. Richardson, reported that the committee of the whole House had,
according to order had said bill under consideration, and had instructed
him to report the same without amendment.

On motion of Mr. Richardson,

Ordered, that said report be agreed to.

On motion of Mr. Vick,

Ordered, that said bill lie on the table.

And then the House adjourned till 2 o'clock, P. M.

2 O'CLOCK, P. M

The House met pursuant to adjournment—

Mr. Barnes, from the select committee to whom was referred the bill to
be entitled

An act for the incorporation of the town of Grand Gulph, in the county
Claiborne,

Reported, that the committee had according to order, had said bill un-
der consideration, had made sundry amendments thereto, and had instruc-
ted him to report the same as amended.

On motion of Mr. Barnes,

Ordered, that said report be received.

Whereupon,

Said amendments were read and concurred in by the House.

On motion of Mr. Barnes,

E*

Ordered, that said bill be engrossed and made the order of the day for a third reading on Monday next.

Mr. Harper submitted the following resolution:

Whereas, the door keeper of this House has failed to discharge the duties required of him, and thereby disappointed in many instances the expectation of his friends—

Therefore be it resolved, that Lewis Whiteside, the present door keeper, be displaced as such, and that this House do proceed to the election of a door keeper, on Monday next, at 3 o'clock, A. M.

On motion of Mr. Keegan,

It was ordered, that said resolution lie on the table.

Mr. Demoss submitted the following resolution, which, according to the rules of the House, lies one day on the table:

Resolved, that with the concurrence of the Senate, that both Houses meet on Wednesday, the 20th instant, in the Representative Hall, for the purpose of electing a Senator to the Congress of the United States, for six years from the fourth day of March next.

Mr. Boyd moved a reconsideration of the vote taken on the amendment made by the Senate to the resolution in relation to a public printer.

After debate thereon—

And the previous question was called for by Mr. Barnes, and being demanded by a majority of the members present—

The said previous question was then put, viz:

Shall the main question be now put?

And decided in the affirmative.

The said main question was then put, viz:

Shall the said vote be reconsidered?

And decided in the affirmative.

The question was then taken on agreeing to the said amendment, and decided in the affirmative.

Ordered, that the clerk acquaint the Senate therewith.

The bill to be entitled

An act for the relief of Joel White—

Was read the second time.

Mr. Harper moved that said bill be postponed until the fourth day of July next.

And after debate—

The previous question was called for by Mr. Brewer, and being demanded by a majority of the members present—

The said previous question was then put, viz:

Shall the main question be now put?

And decided in the affirmative.

The said main question was then put, viz:

Shall the further consideration of said bill be postponed until the fourth day of July next?

And decided in the negative.

YEAS 12—NAYS 12.

The yeas and nays being demanded by three of the members present:

Those who voted in the affirmative are—

Messrs. Speaker, Allen, Beasley, Brewer, Edwards, Ellis, Harper, Keegan, Martin, Powell, Shurtleff, Stockton—12.

Those who voted in the negative are—

Messrs. Bell, Bole, Boyd, Demoss, Howard, Learned, Ragan, Shelby, Tucker, Vance, Vick, Vannerson—12.

On motion of Mr. Bell,

Ordered, that said bill be committed to a committee of the whole House and made the order of the day for Monday next.

The bill to be entitled

An act to authorize the drawing a lottery in the town of Clinton, for building a Masonic Hall—

Was in order for a second reading.

On motion of Mr. Demoss,

Ordered, that the order on said bill be postponed till Monday next.

Mr. Vannerson submitted the following resolution, which according to the rules of the House, lies one day on the table:

Resolved, with the concurrence of the Senate, that a committee of — on the part of the House, and a committee of — from the Senate be raised to draft a memorial to the Congress of the United States, praying that a law may be passed by that body, extending the franking privilege to the members of the Legislatures and officers of Government in the several States of the Union, for and during the time the several Legislatures are in session.

The bill to be entitled

An act to incorporate the officers and members of Raymond Lodge, No. 21, in the town of Raymond, in Hinds county—

Was read the second time.

On motion of Mr. Demoss,

Ordered, that said bill be engrossed, and made the order of the day for a third reading on Monday next.

Mr. Vannerson, from the joint committee on the fifth article of the revised constitution, reported that the committee had, in the further discharge of their duties, had the subject matter under consideration, and had instructed him to report a bill to be entitled

An act to define the duties of the Auditor of Public Accounts, and to establish his salary.

On motion of Mr. Vannerson,

Ordered, that said report be received.

Whereupon,

Said bill was read the first time.

A message from the Senate, by Mr. Gilbert, their reading clerk.

MR. SPEAKER:

The Senate have by the constitutional majority passed the bill to be entitled

An act to divide Yazoo county.

They have also passed a bill to be entitled

An act for the relief of William A. Woods; which two bills originated in that body, and in which I am requested to ask the concurrence of this House.

The Senate have also passed a bill to be entitled

An act to amend the 7th chapter of the acts of 1824, and the 81st chapter of the acts of 1831; and

A bill to be entitled

An act to incorporate the Mississippi Insurance Company, at Vicksburg; which two latter bills originated in this House.

And then he withdrew.

The said message was thereupon considered by the House, and the bill to be entitled

An act for the relief of William A. Woods—

Read the first time.

The act to divide the county of Yazoo, being next under consideration, was ordered, on motion of Mr. Tucker, to lie on the table.

The bill from the Senate to be entitled

An act to authorize the Judge of the Circuit courts of Hancock and Jackson counties, to appoint an interpreter in certain cases—

Was read the second time.

On motion of Mr. Brewer,

The House forthwith resolved itself into a committee of the whole on said bill—Mr. Tucker in the chair.

And after some time spent therein.

The Speaker resumed the chair; when

Mr. Tucker reported, that the committee of the whole House had, according to order, had said bill under consideration, and had instructed him to report the same without amendment.

On motion of Mr. Tucker,

Ordered, that said report be received.

It was then moved by Mr. Bell, to amend said bill as follows:

In the second section and 6th line, strike out the word "State," and insert in lieu thereof, the word "County;" and in the same line strike out all after the word "the," and insert the words, to wit: "Treasurer of said county is hereby authorized and empowered to pay the same upon the certificate of the Judge, that such services have been performed."

And the question being taken thereon,

It was decided in the negative.

It was then ordered, on motion of Mr. Vannorman, that the House do agree to the said report of the committee of the whole.

On motion of Mr. Keegan,

The rule was dispensed with, and said bill was read a third time forthwith, and put upon its passage.

And the question being put, shall the bill pass?

It was decided in the affirmative.

Ordered, that the title of said bill be as stated.

The bill to be entitled

An act to authorize the board of county police of Jackson county, to levy a special tax—

Was read the second time;

And thereupon,

On motion of Mr. McDonald,

The House forthwith resolved itself into a committee of the whole on said bill—Mr. Howard in the chair.

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Howard reported, that the committee of the whole House had, according to order, had said bill under consideration, and had instructed him to report the same without amendment.

On motion of Mr. Howard,

Ordered, that said report be received and agreed to.

On motion of Mr. McDonald,

The rule was dispensed with, said bill considered as engrossed, read a third time forthwith and put upon its passage.

And the question being put, shall the bill pass?

It was decided in the affirmative.

Ordered, that the title of said bill be as stated, and that the clerk carry the said bill to the Senate and request their concurrence therein.

The bill to be entitled

An act to regulate the mode of assessing and collecting land taxes in the counties therein named—

Was in order for a second reading.

On motion of Mr. Keegan,

Ordered, that the order on said bill be postponed until Monday next.

The bill to be entitled

An act to incorporate the officers and members of the Woodville Guards, and for other purposes—

Was read the second time.

On motion of Mr. Boyd,

Ordered, that said bill be engrossed and made the order of the day for a third reading on Monday next.

The bill to be entitled

An act for the relief of Charles Holland and John R. Little.

Was read the second time.

On motion of Mr. McDonald,

Ordered, that said bill be engrossed and made the order of the day for a third reading on Monday next.

The bill to be entitled

An act for the relief of Peter Ladnier and others—

Was read the second time.

Mr. Harper moved the indefinite postponement of said bill,

And the question being taken thereon,

It was decided in the negative.

On motion of Mr. McDonald,

The rule was dispensed with, said bill considered as engrossed, read a time forthwith, and put upon its passage.

And the question being put, shall the bill pass?

It was decided in the affirmative.

Ordered, that the title of said bill be as stated, and that the clerk carry the said bill to the Senate, and request their concurrence therein.

The bill to be entitled

An act, to compel the Clerks and Registers of Jackson county, to keep their offices at the Court House of said county--

Was read the second time.

On motion of Mr. McDonald,

The rule was dispensed with, said bill considered as engrossed, read a third time forthwith, and put upon its passage.

And the question being put, shall the bill pass?

It was decided in the affirmative.

Ordered, that the title of said bill be as stated.

Ordered, that the clerk carry said bill to the Senate, and request their concurrence therein.

The resolution in relation to N. G. Howard,

Was read the second time.

Mr. Barnes moved that said resolution lie on the table.

And the question being taken thereon,

It was decided in the negative.

On motion of Mr. Bell,

Ordered, that said resolution be committed to a committee of the whole House, and made the order of the day for Monday next.

The resolution in relation to an adjournment of the two Houses, *sine die*, on Saturday the 9th instant, was next in order.

On motion of Mr. Vannerson,

Ordered, that said resolution be indefinitely postponed.

The resolution in relation to the *per diem* pay of the members of both Houses of the Legislature, and

The resolution in relation to the introduction of local business, were next in order.

On motion of Mr. Bingaman,

Ordered, that said resolutions be indefinitely postponed.

And then the House adjourned.

Monday, February 18, 1833.

The House met pursuant to adjournment—

Messrs. Morrison and Dixon appeared and took their seats in the Hall.
Mr. Tucker, from the select committee to whom was referred the bill from the Senate to be entitled

An act to organize and establish Circuit Courts, and to define their powers and jurisdiction in law and equity,

Reported, that the committee had, according to order, had the same under consideration, had made an amendment thereto, and had instructed him to report the same as amended.

On motion of Mr. Tucker,

Ordered, that said report be received.

Whereupon,

Said amendment was read and concurred in by the House.

Whereupon,

On motion of Mr. Vannerson,

The House forthwith resolved itself into a committee of the whole on said bill; Mr. Bell in the chair,

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Bell reported, that the committee of the whole House had, according to order, had said bill under consideration, had made some progress therein, but having come to no determination, had instructed him to ask leave to sit again, at two o'clock, P. M.

On motion of Mr. Bell,

Ordered, that said report be received and agreed to.

On motion of Mr. Stockton,

The House took a recess for ten minutes.

12 O'CLOCK, MERIDIAN.

On motion of Mr. Barnes,

And in accordance with a joint resolution of the two Houses, in relation to the election of a public Printer for the ensuing year, and an Adjutant General, the Senate were notified by the clerk that the House of Representatives were ready to receive them in the Hall of the House—

And thereupon,

The Senate appeared and took the seats assigned them; when the two Houses proceeded to the election of a Public Printer.

The following is the result of the vote—

For Peter Isler.

Mr. Gordon,

Mr. Morgan,

Guion,

Winston.

McLeod,

Senators—5

Mr. Speaker,

Mr. Demoss,

Barnes,
Bell,
Bingham,
Boyd,
Keegan,
Learned,
McRae,
Morrison,
Richardson,

Dunbar,
Dixon,
Edwards,
Ellis,
Shelby,
Stockton,
Vick,
Vannerson,
Vannorman.

Rep's.—20

Total

25

For R. P. Catlett.

Mr. President,
Prosser,
Mr. Allen,
Beasley,
Beatie,
Bole,
Brewer,
Carter,
Harper,
Howard,

Mr. Love,
Smith.
Mr. Martin,
McDonald,
Powell,
Ragan,
Shurtleff,
Tucker,
Vance.

Senators—4

Representatives—15

Total

19

Whereupon,

The President of the Senate announced to the two Houses that Peter Isler was duly elected Public Printer for the ensuing year.

Mr. Boyd then rose and addressed the President, and said that he was of opinion that the law under which the two Houses were convened for the election of an Adjutant General, conflicted with the constitution of the State, as from his understanding of the law it provides that the person so elected should hold the office during good behaviour, and asked leave to read the 30th section of the first article of the constitution; which being given by the two Houses, the same was read, and is as follows:

"No person shall ever be appointed or elected to any office in this State for life or during good behaviour; but the tenure of all offices shall be for some limited period of time, if the person appointed or elected thereto shall so long behave well."

It was then moved, by Mr. Boyd, that the two Houses adjourn;

And the question being taken thereon,

It was decided in the negative.

After further debate,

It was moved by Mr. Love, that the two Houses adjourn;

And the question being taken thereon,

It was decided in the affirmative.

The Senate then retired to their chamber, and the House adjourned till 2 o'clock, P. M.

2 O'CLOCK, P. M.

The House met pursuant to adjournment, when

On motion of Mr. McKee,

It was ordered that Mr. Edwards be excused from further service on the House during the remainder of the present session.

On motion of Mr. Boyd,

Ordered, that Mr. Pendleton be excused from further service on the House during his indisposition.

According to the order of the day, the House resumed in committee of the whole the consideration of the bill from the Senate, to be entitled

An act to organize and establish Circuit Courts and to define their powers and jurisdiction in law and equity; Mr. Morrison in the chair,

And after some time spent therein,

A message from the Senate was announced at the bar of the House by the door keeper.

Whereupon,

The Speaker resumed the chair; when

The following message was received from the Senate, by Mr. Dickson, their secretary.

MR. SPEAKER:

The Senate have concurred in the amendments made by the House of Representatives, to the resolution requiring the Secretary of State to transmit to the Attorney General a copy of the report of the committee of accounts, with an amendment to said amendment, in which they desire the concurrence of the House of Representatives.

They have passed the resolution dissolving the bonds of matrimony heretofore subsisting between Washington Ellington and Sally Ellington.

They have also given leave to introduce a bill to be entitled

An act to restrain idle and disorderly persons.

And then he withdrew.

Whereupon,

The House resumed in committee of the whole, the consideration of the said bill; Mr. Morrison again the chair,

And after some further time spent therein,

The Speaker resumed the chair; when

Mr. Morrison reported, that the committee of the whole House had, according to order, had said bill under consideration, had made sundry amendments thereto, and had instructed him to report the same as amended.

On motion of Mr. Morrison,

Ordered, that said report be received and agreed to.

On motion of Mr. Barnes,

Ordered, that the said amendments be engrossed, and that the said bill as amended be made the order of the day for a third reading on to-morrow.

Mr. Howard, from the joint select committee, to whom was referred the fourth article of the constitution,

Reported, that the committee had, according to order, had the same under consideration and had instructed him to report a bill to be entitled

An act to establish and organize a separate Superior Court of Chancery, and to define the powers and jurisdiction thereof.

On motion of Mr. Howard,

Ordered, that said report be received.

Whereupon,

Said bill was read the first time.

Mr. Vannorman asked, and obtained leave to introduce a bill to be entitled

An act prescribing the mode of election and duties of constables—

Which was read the first time.

And then the House adjourned 'till half past six o'clock, P. M.

HALF PAST 6 O'CLOCK, P. M.

The House met pursuant to adjournment.

Mr. Harper, by leave of the House, introduced a bill to be entitled

An act to amend "an act to provide for the election of a public printer, prescribe his duties, and fixing the prices for the public printing"—

Which was read the first time.

Mr. Vick, from the select committee to whom was referred the bill to be entitled

An act to incorporate the Big Black Bridge and Turnpike Road Company, reported, that the committee had, according to order, had the same under consideration, had made sundry amendments thereto, and had instructed him to report the same as amended.

On motion of Mr. Vick,

Ordered, that said report be received.

Whereupon,

Said amendments were read and concurred in by the House.

On motion of Mr. Keegan,

Ordered, that said bill be committed to a committee of the whole House and made the order of the day on to-morrow.

Mr. Brewer called for the consideration of the resolution in relation to the election of a Senator to the Congress of the United States, for the term of six years from the 4th day of March next.

And the question being taken thereon,

It was decided in the negative.

Mr. Vick asked, and obtained leave to introduce a bill to be entitled

An act to incorporate the Antioch Baptist church, in Warren county—

Which was read the first time.

On motion of Mr. Vick,

The rule was dispensed with, and said bill was read the second time.

On motion of Mr. Vick,

Ordered, that said bill be engrossed, and made the order of the day for a third reading on to-morrow.

On motion of Mr. Howard,

The House proceeded to consider the bill to be entitled

An act to extend the legal process of the county of Rankin to certain parts of the Choctaw purchase lying adjacent thereto, and for other purposes.

On motion of Mr. Howard,

Ordered that said bill be made the order of the day for a second reading on to-morrow.

The engrossed bills entitled, to wit:

An act to incorporate the officers and members of Raymond Lodge, No. 21, in the town of Raymond, in Hinds county.

An act to incorporate the officers and members of the Woodville Guards, and for other purposes; and

An act for the relief of Charles Holland and John R. Little—

Were severally read the third time, and passed with their titles as stated.

Ordered, that the clerk carry said bills to the Senate, and request their concurrence therein.

The engrossed bill to be entitled

An act for the incorporation of the town of Grand Gulf, in the county of Claiborne—

Was read the third time.

Mr. Demoss moved that said bill be re-committed to the select committee to whom it was last committed.

And the question being taken thereon,

It was decided in the negative.

The question was then taken on the passage of said bill,

And decided in the affirmative.

Ordered, that the title of said bill be as stated, and that the clerk carry the said bill to the Senate, and request their concurrence therein.

According to the order of the day the House resolved itself into a committee of the whole on the bill to be entitled

An act for the relief of Joel White—Mr. Beasley in the chair.

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Beasley reported, that the committee of the whole House had, according to order, had said bill under consideration, had made an amendment thereto, and had instructed him to report the same as amended.

Mr. Beasley moved that said report be received and agreed to.

A division of the question being called for by Mr. Harper—

It was taken first on receiving said report,

And decided in the affirmative.

It was then taken on agreeing to said report.

Which was also decided in the affirmative.

On motion of Mr. Bell,

The rule was dispensed with, and said bill was considered as engrossed, read a third time forthwith, and put upon its passage.

And the question being put, shall the bill pass?

It was decided in the affirmative.

YEAS 15—NAYS 12.

The yeas and nays being demanded by three of the members present:

Those who voted in the affirmative are—

Messrs. Barnes, Beatie, Bell, Bingaman, Boyd, Demoss, Howard, Learned, Morrison, Richardson, Shelby, Shurtleff, Tucker, Vick, Vannerson—15.

Those who voted in the negative are—

Messrs. Speaker, Allen, Beasley, Brewer, Dunbar, Ellis, Harper, Keegan, Martin, McDonald, Powel, Ragan—12.

Whereupon,

The Speaker announced to the House, that the said bill had passed, from which decision of the chair, Mr. Keegan took an appeal to the House. He said that the bill conflicted with the 8th section of the 7th article of the Consitution, inasmuch as it was not sustained by a vote of two thirds of the members.

And the question being put, shall the decision of the chair stand as the decision of the House?

It was decided in the affirmative.

YEAS 15—NAYS 11.

The yeas and nays being demanded by three of the members present:

Those who voted in the affirmative are—

Messrs. Barnes, Beatie, Bell, Bingaman, Boyd, Demoss, Dunbar, Howard, Learned, Morrison, Richardson, Shelby, Tucker, Vick, Vannerson—15.

Those who voted in the negative are—

Messrs. Allen, Beasley, Brewer, Ellis, Harper, Keegan, Martin, McDonald, Powel, Ragan, Shurtleff—11.

The question was then taken on the title of said bill as stated.

And decided in the affirmative.

Ordered, that the clerk carry said bill to the Senate, and request their concurrence therein.

The House according to the order of the day, resolved itself into a committee of the whole, on the bill to be entitled

An act, to amend the several acts now in force, incorporating and concerning the town of Woodville—Mr. Martin in the chair.

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Martin reported, that the committee of the whole House had, according to order, had said bill under consideration, and had instructed him to report the same without amendment.

On motion of Mr. Martin,

Ordered, that said report be received and agreed to.

On motion of Mr. Vannerson,

Ordered, that said bill be engrossed and made the order of the day for a third reading on Wednesday next.

Mr. Vannerson moved that one hundred copies of the bill to be entitled An act, to establish and organize a separate superior Court of Chancery, and to define the powers and jurisdiction thereof be printed for the use of the House.—

And the question being taken thereon,

It was decided in the negative.

Whereupon,

On motion of Mr. Howard,

It was ordered that the clerk have sixty copies of said bill printed.

It was then moved by Mr. Howard, that the House adjourn until 8 o'clock, A. M., on to-morrow;

And the question being taken thereon,

It was decided in the negative.

According to the order of the day, the House resolved itself into a committee of the whole, on the bill to be entitled

An act, to alter and amend "an act, to incorporate the town of Columbus, in the county of Monroe, passed June 27th, 1822, and for other purposes"—Mr. Learned in the chair.

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Learned reported, that the committee of the whole House had, according to order, had said bill under consideration, and had instructed him to report the same without amendment.

On motion of Mr. Learned,

Ordered, that said report be received and agreed to.

On motion of Mr. Tucker,

Ordered, that said bill be engrossed and made the order of the day for a third reading on Thursday next.

According to the order of the day, the House resolved itself into a committee of the whole, on the bill to be entitled

An act, to alter and amend the charter of the incorporation of the President and Trustees of the Franklin Academy, and to repeal an act entitled "An act, to alter and amend the charter of the corporation of the President and Trustees of the Franklin Academy, in the county of Lowndes, and for other purposes, approved December 19th, 1831."—Mr. Demoss in the chair.

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Demoss reported, that the committee of the whole House had, according to order, had said bill under consideration, and had instructed him to report the same without amendment.

On motion of Mr. Demoss,

Ordered, that said report be received and agreed to.

On motion of Mr. Tucker,

Ordered, that said bill be engrossed and made the order of the day for a third reading on Wednesday next.

The House according to the order of the day, resolved itself into a committee of the whole on the resolution in relation to N. G. Howard—Mr. Harper in the chair.

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Harper reported, that the committee of the whole House had, according to order, had said resolution under consideration, had made an amendment thereto, and had instructed him to report the same as amended.

On motion of Mr. Harper,

Ordered, that said report be received and agreed to.

On motion of Mr. Keegan,

The rule was dispensed with, and said resolution was considered as engrossed, read a third time forthwith, and put upon its passage.

And the question being put, shall the resolution pass?

It was decided in the affirmative.

Ordered, that the clerk acquaint the Senate therewith, and request their concurrence therein.

The bill from the Senate to be entitled

An act, for the relief of William A. Woods,

Was read the second time.

On motion of Mr. Vick,

Ordered, that said bill be committed to a committee of the whole House, and made the order of the day for Wednesday next.

The bill to be entitled

An act to authorize the drawing a lottery in the town of Clinton, for building a Masonic Hall,

Was read the second time.

On motion of Mr. Morrison,

Ordered, that said bill be engrossed and made the order of the day for a third reading on Wednesday next.

The bill to be entitled

An act to regulate the mode of assessing and collecting land taxes in the counties therein named,

Was read the second time.

On motion of Mr. Morrison,

Ordered, that said bill be committed to a committee of the whole House, and made the order of the day for Wednesday next.

The bill to be entitled

An act to change and define the boundary lines of Madison county,

Was read the second time.

On motion of Mr. Demoss,

Ordered, that said bill lie on the table.

The resolution in relation to the election of a United States Senator, was in order.

On motion of Mr. Bell,

Ordered, that the order on said resolution be postponed until to-morrow.

The resolution proposing to extend the franking privilege to the members of the legislature and officers of government in the several States of the Union, was next in order.

Mr. Bingaman moved that the same be indefinitely postponed—

And the question being taken thereon,

It was decided in the negative.

On motion of Mr. Tucker,

Ordered, that said resolution lie on the table.

And then the House adjourned.

Tuesday, February 19, 1833.

The House met pursuant to adjournment.

Mr. Morrison presented the petition of sundry inhabitants of Amsterdam and its vicinity, in the county of Hinds, praying the legislature to pass an act to grant a charter to Joel E. Carstarphen, for a bridge to be built over Big Black River, from Hinds to Warren county.

Which was read and ordered to lie on the table.

On motion of Mr. Morrison,

The House proceeded to consider the bill to be entitled

An act to grant a charter to Joel E. Carstarphen, for a bridge to be built over Big Black River, from Hinds to Warren county.

Mr. Harper moved, that the same be indefinitely postponed;

And the question being taken thereon,

It was decided in the negative.

On motion of Mr. Morrison,

Ordered, that said bill be committed to a committee of the whole House, and made the order of the day for to-morrow.

On motion of Mr. McDonald,

The House proceeded to the consideration of the message from the Senate, received on yesterday.

Whereupon,

It was ordered, on motion of Mr. Shurtleff, that the House agree to the amendment made by the Senate to the amendments to the resolution requiring the Secretary of State to transmit to the Attorney General a copy of the report of the committee of accounts.

Ordered, that the clerk acquaint the Senate therewith.

Mr. Demoss, by leave of the House, introduced a bill to be entitled
An act to make less expensive, suits, and for other purposes—
Which was read the first time.

Mr. Boyd moved, that the same lie on the table;
And the question being taken thereon,
It was decided in the negative.

The bill from the Senate to be entitled
An act to organize and establish Circuit Courts, and to define their powers in law and equity,
Was read the third time.

And after debate—

The previous question was called for by Mr. Bingaman, and being demanded by a majority of the members present,

The said previous question was then put, viz:
Shall the main question be now put?

And decided in the affirmative.

The said main question was then put, viz:

Shall the bill pass?

And decided in the affirmative.

Ordered, that the title of said bill be as stated.

Ordered, that the clerk carry the said bill to the Senate and notify them of the amendments made thereto, and request their concurrence therein.

Mr. Stockton, from the joint committee on enrolled bills, made the following report:

MR. SPEAKER:

The joint committee on enrolled bills have this day examined

An act to amend an act entitled "an act to incorporate the town of Gallatin, passed 10th February, 1829, and for other purposes."

An act to authorise the Judge of the Circuit Courts of Hancock and Jackson counties to appoint an interpreter in certain cases.

An act to incorporate the Mississippi Insurance Company, at Vicksburg.

An act to amend the seventh chapter of the acts for the year 1824, and the eighty-first chapter of the acts of 1831.

And have found the same correctly enrolled.

The Speaker signed said bills.

Ordered, that the clerk carry them to the Senate, for the signature of the President thereof.

On motion of Mr. Bole,

The House proceeded to the reconsideration of the bill from the Senate, entitled

An act to divide the county of Yazoo—

Which was returned by His Excellency the Governor, with the following objections, to wit:

EXECUTIVE CHAMBER,
Jackson, January 29, 1833.

Gentlemen of the Senate:

Earnestly desiring to guard against any of those unhappy conflicts which have heretofore unfortunately arisen between some of the States and the General Government, I have carefully examined a bill entitled "An act to divide Yazoo county;" and after mature deliberation, feel myself called upon to exercise the power vested in me by the constitution, of withholding from it my approbation and signature. I therefore return it with the following objections, to wit:

In the 18th article of the late Choctaw treaty, it is expressly stipulated that no person shall be permitted to settle within the nation, until the Choctaws shall remove from thence to the home secured to them by that instrument, and in the 3d article, it is further provided, that not exceeding one half of the whole number shall remove during the fall of 1831—'32, and that the residue shall remove during the fall of 1833.—It follows, therefore, that whether authorized by the constituted authorities of this State or not, all persons entering the Indian territory, as settlers, prior to that time, must be regarded as acting in violation of that treaty, and liable to be expelled by force, on the part of the General Government.

The bill above referred to, provides for laying off a new county comprehending a portion of this territory, and also for empowering the board of county police to locate a Seat of Justice. Suppose that this board, in the exercise of the discretionary power vested in them, should locate the Seat of Justice in that portion of the Indian Territory included within the contemplated county? Our officers of Justice residing there, in the discharge of their official duties, would be acting in violation of the treaty, the supreme law of the land, and would be liable to be driven from thence by the exercise of absolute force. This would produce a state of things deeply to be deplored. It would produce one of those conflicts between State and Federal power which it becomes the functionaries of this State cautiously to avoid—one of those conflicts which have too often occurred to destroy the peace and harmony of this great confederacy.

Again: The 18th art. of that treaty provides further, that the lands lying within the Choctaw District shall not be sold until the fall of 1833. The obvious intention of this provision is to prevent persons from settling in that territory until after the fall of that year. The bill above alluded to provides, that the board of county police, after having located the Seat of Justice, shall proceed to lay off lots, and dispose of the same. Now, if the board should locate the Seat of Justice in that portion of the new county included within the Indian territory, their compliance with that provision of the bill would invite the location of settlers, and thus defeat the clear and apparent intent of that clause of the treaty.

The 4th section reads thus: "And be it further enacted, that all suits, plaints and actions which shall be pending in the Circuit Courts of Ya-

Yazoo county, *at the passage of this act*, where the defendant resides in the county of Holmes, shall be transferred by the *Clerks* of the Circuit Court of Yazoo county to the Clerk of the Circuit Court of Holmes county, as soon as a clerk for the county of Holmes shall be qualified to receive the same," &c. Yazoo county has but *one* Circuit Court, and but *one* Clerk to that Court; and moreover, this section only provides for the removal of the papers in such causes as may be pending in the Circuit Court of Yazoo county, "*at the time of the passage of this act*," and does not provide for the removal of such as may be instituted therein against persons residing within the contemplated limits of the county of Holmes, *after the passage this act*, and before the county is organized or a clerk appointed to receive them. According to the provisions of this bill, no clerk can be appointed, neither can the county be organized before the General election in May next. Between the passage of this act, and that time a number of suits might be instituted in the Circuit Court of Yazoo county against individuals residing in the county of Holmes, and the papers in all these causes would have to remain in the Circuit Court of Yazoo county, even after the county of Holmes was organized, whilst those that were pending "*at the time of the passage of this act*," would, according to its provisions, be removed. In consequence of which, inconvenience and serious injury might result to many of our fellow citizens.

I sincerely regret that these objections present themselves to the passage of this bill, and would beg leave respectfully to suggest the preparation of a substitute more ample and explicit in its provisions, to take effect after the expiration of the Indian title to the Choctaw territory.

(Signed)

A. M. SCOTT.

Whereupon,

Said bill was put upon its passage.

And after debate thereon—

The previous question was called for by Mr. Shelby, and being demanded by a majority of the members present,

The said previous question was then put, viz:

Shall the main question be now put?

And decided in the affirmative.

The said main question was then put, viz:

Shall the said bill pass?

And decided in the affirmative by the constitutional majority, two thirds of the members concurring therein.

The yeas and nays being taken, were as follows:

Those who voted in the affirmative were—

Messrs. Beasley, Beatie, Bell, Bole, Boyd, Brewer, Demoss, Dunbar, Dixon, Ellis, Harper, Howard, Learned, Martin, McRae, Morrison, Pendleton, Powell, Ragan, Shelby, Shurtleff, Tucker, Vance, Vannerson, Vannorman—25.

Those who voted in the negative were—

Messrs. Speaker, Allen, Barnes, Bingaman, Carter, Richardson, Stockton, Vick—8.

Mr. Stockton, from the joint committee on enrolled bills, made the following report:

MR. SPEAKER:

The joint committee on enrolled bills have this day examined

An act to amend an act entitled "An act for the division of a certain appropriation therein named."

A resolution to dissolve the bonds of matrimony heretofore subsisting between Washington Ellington and Sally Ellington.

And have found the same correctly enrolled.

The Speaker signed the same.

Ordered, that the clerk carry the said bill and resolution to the Senate, for the signature of the President thereof.

On motion of Mr. Dunbar,

The House proceeded to consider the bill to be entitled

An act to establish the Agricultural Bank of the State of Mississippi.

Mr. Dunbar moved, that the House forthwith resolve itself into a committee of the whole on said bill.

Mr. Tucker moved that the same be indefinitely postponed.

And after debate,

The previous question was called for by Mr. Dixon, and being demanded by a majority of the members present,

The said previous question was then put, viz:

Shall the main question be now put?

And decided in the affirmative.

The said main question was then put, viz:

Shall the said bill be indefinitely postponed?

And decided in the negative.

YEAS 13—NAYS 21.

The yeas and nays being demanded by three of the members present.

Those who voted in the affirmative are—

Messrs. Bell, Brewer, Carter, Harper, Howard, Keegan, Learned, Pendleton, Powell, Ragan, Tucker, Vick, Vannerson—13.

Those who voted in the negative are—

Messrs. Speaker, Allen, Barnes, Beasley, Beatie, Bingaman, Bole, Boyd, Demoss, Dunbar, Dixon, Martin, McRae, McDonald, Morrison, Richardson, Shelby, Shurtleff, Stockton, Vance, Vannorman—21.

It was then moved, by Mr. Vannerson, that said bill lie on the table.

And the question being taken thereon,

It was decided in the negative.

YEAS 8—NAYS 25.

The yeas and nays being called for by three of the members present:

Those who voted in the affirmative are—

Messrs. Bell, Ellis, Harper, Keegan, Learned, Powell, Ragan, Vannerson—8.

Those who voted in the negative are—

Messrs. Speaker, Allen, Barnes, Beasley, Beatie, Bingaman, Bole, Brewer, Carter, Demoss, Dunbar, Dixon, Martin, McRae, McDonald, Morrison, Pendleton, Richardson, Shelby, Shurtleff, Stockton, Tucker, Vance, Vick, Vannorman.—25.

The House then, on motion of Mr. Demoss, forthwith resolved itself into a committee of the whole on the said bill; Mr. Barnes in the chair,

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Barnes reported, that the committee of the whole House had, according to order, had said bill under consideration, had made some progress therein, but not having come to any determination, had instructed him to ask leave to sit again, at two o'clock, P. M.

On motion of Mr. Barnes,

Ordered, that said report be received and agreed to.

A message from the Governor, by Mr. Allen, his private Secretary:

MR. SPEAKER:

I am requested by the Governor to inform this House, that he has this day approved and signed a bill, entitled

An act, to dissolve the bonds of matrimony heretofore subsisting between Charles Necaie and Zine Necaie of the county of Hancock; which originated in this House.

And then he withdrew.

The House adjourned till 2 o'clock, P. M.

2 O'CLOCK, P. M.

The House met pursuant to adjournment.

On motion of Mr. Barnes,

It was ordered, that Mr. Stockton be excused from further service on the House, until Monday next, and that two members be appointed on the committee on enrolled bills, to fill the vacancy on said committee, occasioned by the absence of Messrs. Stockton and Edwards.

On motion of Mr. Brewer,

Ordered, that Mr. Learned be excused from further service on the House during his indisposition.

Mr. Bingaman asked and obtained leave to introduce a resolution in relation to a mail route—

Which was read the first time.

On motion of Mr. Bingaman,

The rule was dispensed with, and said resolution was read the second time.

On motion of Mr. Morrison,

The rule was further dispensed with, and said resolution was considered as engrossed, read a third time forthwith, and put upon its passage.

And the question being put, shall the resolution pass?

It was decided in the affirmative.

Ordered, that the clerk carry said resolution to the Senate, and request their concurrence therein.

On motion of Mr. Demoss,

The House proceeded to the consideration of the resolution in relation to the election of a Senator to the Congress of the United States.

Mr. Demoss moved to amend said resolution as follows:

Insert after the words "twentieth instant," the words "at 12 o'clock, meridian."

And the question being taken thereon,

It was decided in the affirmative.

The question was then taken on the adoption of said resolution, as amended;

And decided in the affirmative.

YEAS 18—NAYS 12.

The yeas and nays being called for by three of the members present:

Those who voted in the affirmative are—

Messrs. Speaker, Allen, Beasley, Beatie, Bell, Boyd, Brewer, Demoss, Ellis, Howard, Morrison, Powell, Shurtleff, Tucker, Vance, Vick, Vannorman—18.

Those who voted in the negative are—

Messrs. Barnes, Bingaman, Carter, Dunbar, Dixon, Keegan, Martin, McRae, McDonald, Ragan, Shelby, Vannerson—12.

So the resolution passed.

Ordered, That the clerk acquaint the Senate therewith, and desire their concurrence therein.

On motion of Mr. Boyd,

Ordered, that Messrs. Vannerson and Shurtleff be appointed on the committee of enrolled bills.

The House, according to the order of the day, resumed in committee of the whole, the bill to be entitled

An act to establish the Agricultural Bank of Mississippi—Mr. Barnes again in the chair.

And after some time spent therein,

A message from the Senate was announced at the bar of the House by the door-keeper.

Whereupon,

The Speaker resumed the chair; when

The following message was received from the Senate, by Mr. Thomas Dickson, their enrolling clerk:

MR. SPEAKER:

The Senate have concurred in the amendments to the bill to authorize John M. Thompson to build a bridge over Bayou Pierre.

The Senate have passed bills of the following titles, to wit:

A bill to be entitled

An act, to authorize Rebeca Lott to sell a certain slave therein named.

A bill to be entitled

An act, to provide for the erection of Levees, in the county of Washington.

In which bills they desire the concurrence of the House of Representatives. They have also passed the bills from the House of Representatives, and a resolution, of the following titles, to wit:

A bill to be entitled

An act to levy a special tax in the county of Covington, and for other purposes; and

A bill to be entitled

An act to authorize the board of police for the county of Jones, to levy a special tax, and for other purposes.

A bill to be entitled

An act, to authorize the board of county police of Perry county, to levy a county tax, and for other purposes.

A bill to be entitled

An act for the relief of Joshua Reed; and

A resolution to dissolve the bonds of matrimony heretofore subsisting between James Ray and Louisa Ray.

They have given leave to introduce bills of the following titles, to wit:

A bill to be entitled

An act, to provide for the apprehension and detection of refugee slaves.

A bill to be entitled

An act, to amend an act entitled "An act, to revise the militia system, approved February 12th, 1830."

The President has signed an act to incorporate the Mississippi Insurance Company at Vicksburg.

An act to amend the seventh chapter of the acts for the year 1824, and the eighty-first chapter of the acts of 1831.

An act to authorize the Judge of the Circuit Courts of Hancock and Jackson counties, to appoint an interpreter in certain cases.

An act to amend an act, entitled "An act to incorporate the town of Gallatin, passed 4th February, 1829, and for other purposes."

An act entitled an act, for the division of a certain appropriation therein named;" and

A resolution dissolving the bonds of matrimony heretofore subsisting between Washington Ellington and Sally Ellington.

And then he withdrew.

The House then resumed in committee of the whole the consideration of said bill—Mr. Barnes again in the chair.

And after some further time spent therein,

The Speaker resumed the chair; when

Mr. Barnes reported, that the committee of the whole House had, according to order, had said bill under consideration, had made sundry

amendments thereto, and had instructed him to report the same as amended.

On motion of Mr. Barnes,

Ordered, that said report be received.

Whereupon,

The first, second, third and fourth of said amendments were read and concurred in by the House.

The fifth amendment was then read,

And the question being taken thereon,

It was decided in the affirmative.

YEAS 20—NAYS 12.

The yeas and nays being demanded by three of the members present.

Those who voted in the affirmative are—

Messrs. Speaker, Beatie, Bell, Brewer, Carter, Ellis, Harper, Keegan, McRae, McDonald, Morrison, Pendleton, Powel, Ragan, Shurtleff, Tucker, Vance, Vick Vannerson, Vannorman—20.

Those who voted in the negative are—

Messrs. Allen, Barnes, Beasley, Bingaman, Bole, Boyd, Demoss, Dunbar, Dixon, Martin, Richardson, Shelby—12.

It was then moved, by Mr. Keegan, to amend said bill as follows:

Amend 11th article, 3d section, by adding after the word "rates," in the second line, the words, "and for no less time than the following," and strike out the words, "no more than," in the 3rd line.

And the question being taken thereon,

It was decided in the negative.

YEAS 11—NAYS 21.

The yeas and nays being demanded by three of the members present:

Those who voted in the affirmative are—

Messrs. Bell, Brewer, Carter, Ellis, Harper, Keegan, Pendleton, Powel, Ragan, Tucker, Vannerson—11.

Those who voted in the negative are—

Messrs. Speaker, Allen, Barnes, Beasley, Beatie, Bingaman, Bole, Boyd, Demoss, Dunbar, Dixon, Martin, McRae, McDonald, Morrison, Richardson, Shelby, Shurtleff, Vance, Vick, Vannorman—21.

On motion of Mr. Dunbar,

Ordered, that said bill be engrossed and made the order of the day for a third reading on to-morrow.

The bills from the Senate entitled, to wit:

An act to provide for the erection of levees in the county of Washington; and

An act to authorize Rebecca Lott to sell a certain slave therein named—

Were read the first time.

The engrossed bill to be entitled

An act to divide Lowndes county, and define the boundaries thereof, and to lay off and define the boundaries of new counties, and for other purposes—

Was in order for a third reading.

On motion of Mr. Tucker,

Ordered, that said bill lie on the table.

The engrossed bills to be entitled, to wit:

An act to prescribe the duties of the Secretary of State, and to establish his salary; and

An act to authorize the Trustees of school lands within each township in this State to lease the 16th sections within the same, for ninety nine years, and for other purposes—

Were read the third time, and passed with their titles as stated.

Ordered, that the clerk carry said bills to the Senate, and request their concurrence therein.

The House, according to the order of the day, resolved itself into a committee of the whole, on the bill to be entitled

An act to amend an act entitled “an act to reduce into one the several acts regulating inns, taverns, and houses of private entertainment, and for the restraint of tipling houses, passed June 23th, 1822;” Mr. Tucker in the chair.

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Tucker reported, that the committee of the whole House had, according to order, had said bill under consideration, and had instructed him to report the same without amendment.

On motion of Mr. Tucker,

Ordered, that said report be received and agreed to.

On motion of Mr. Keegan,

Ordered, that said bill lie on the table.

The resolution to revise and consolidate the laws now in force in this State—

Was in order for a committee of the whole House.

On motion of Mr. Demoss,

Ordered, that the order on said bill be postponed until to-morrow.

Mr. Boyd, from the joint committee on enrolled bills made the following report:

MR. SPEAKER:

The joint committee on enrolled bills have this day presented to His Excellency the Governor, for his approbation and signature—

An act to authorise the Judge of the Circuit Courts of Hancock and Jackson counties to appoint an interpreter in certain cases.

An act to amend an act entitled “an act to incorporate the town of Galatin, passed 10th February, 1829, and for other purposes.”

An act to amend the seventh chapter of the acts for the year 1824, and the eighty-first chapter of the acts of 1831.

An act to incorporate the Mississippi Insurance Company at Vicksburg.

An act to amend an act entitled “an act for the division of a certain appropriation therein named.”

A resolution to dissolve the bonds of matrimony heretofore subsisting between Washington Ellington and Sally Ellington.

The House, according to the order of the day, resolved itself into a committee of the whole on the bill to be entitled

An act to prescribe the form of commission in this State; Mr. McRae in the chair,

And after some time spent therein,

The Speaker resumed the chair; when

Mr. McRae reported, that the committee of the whole House had, according to order, had said bill under consideration, had made an amendment thereto, and had instructed him to report the same as amended.

On motion of Mr. McRae,

Ordered, that said report be received and agreed to.

On motion of Mr. Boyd,

Ordered, that said bill be engrossed and made the order of the day for a third reading on to-morrow.

The bill to be entitled

An act to provide for a contingent fund of the Executive Department—

Was read the second time.

On motion of Mr. Vannerson,

Ordered, that said bill be committed to a committee of the whole House, and made the order of the day for to-morrow.

And then the House adjourned.

Wednesday, February 20, 1833.

The House met pursuant to adjournment.

Mr. Demoss presented the accounts of H. R. Hall and others, for stationary, &c.

Also, the account of John H. Mallory, for one bound book, for the use of the late Convention.

Which were referred to the committee on claims.

Mr. Beatie presented the petition of sundry citizens of Madison county, praying the passage of an act, establishing a certain election precinct therein mentioned.

Which was ordered to lie on the table.

On motion of Mr. Morrison,

The House proceeded to consider the amendments made by the Senate, to the bill to be entitled

An act, to provide for the erection of a State House and other public buildings in the town of Jackson, and for the sale of public lots in said town, and for other purposes.

On motion of Mr. Keegan,

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Ordered, that the House concur in said amendments, and that the clerk acquaint the Senate therewith.

It was then moved by Mr. Dixon, that the House reconsider its vote taken on the said amendments.

And the question being taken thereon,

It was decided in the negative.

Mr. Howard submitted the following resolution:

Resolved, that the clerk of this House be required to procure from the clerk of the Senate, a copy of the correspondence between a committee of the Senate, and the President and Directors of the Planters Bank, relative to their contracts, and relations with the old Bank of the State of Mississippi, so that the members of this House may have access to said correspondence, and have an opportunity to examine the same.

Mr. Beasley moved that said resolution be rejected.

And the question being taken thereon,

It was decided in the affirmative.

The bill to be entitled

An act to establish the Agricultural Bank of Mississippi, was in order—

Mr. Keegan moved, that the order on said bill be postponed until Friday next.

And after debate—

The previous question was called for by Mr. Harper, and being demanded by a majority of the members present:

The said previous question was then put, viz:

Shall the main question be now put?

And decided in the affirmative.

The said main question was then put, viz:

Shall the order on said bill be postponed until Friday next?

And the question being taken thereon,

It was decided in the affirmative.

The bill to be entitled

An act to prescribe the form of commissions in this State—

Was read the third time.

After debate—

The previous question was called for by Mr. Keegan, and being demanded by a majority of the members present:

The said previous question was then put, viz:

Shall the main question be now put?

And decided in the affirmative.

The said main question was then put, viz:

Shall the said bill pass?

And decided in the affirmative.

YEAS 16—NAYS—3.

The yeas and nays being demanded by three of the members present:

Those who voted in the affirmative are—

Messrs. Beasley, Bell, Bole, Boyd, Brewer, Domoss, Dunbar, Dixon,

Ellis, Keegan, Morrison, Powell, Richardson, Shurtleff, Tucker, Vance—16.

Those who voted in the negative are—

Messrs. Allen, Beatie, Harper, Martin, McDonald, Ragan, Vick, Vannerson—8.

So the bill passed.

Ordered, that the title thereof be as stated, and that the clerk carry said bill to the Senate, and request their concurrence therein.

The resolution to revise and consolidate the laws now in force in this State, was in order for a committee of the whole House.

On motion of Mr. Vannerson,

Ordered, that the order on said bill be postponed until Saturday next.

The House according to the order of the day, resolved itself into a committee of the whole, on the bill to be entitled

An act, to provide for a contingent fund of the Executive Department—Mr. Harper in the chair.

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Harper reported, that the committee of the whole House, had, according to order, had said bill under consideration; had made an amendment thereto, and had instructed him to report the same as amended.

On motion of Mr. Harper,

Ordered, that said report be received and agreed to.

On motion of Mr. Bell,

Ordered, that said bill be engrossed and made the order of the day for a third reading on to-morrow.

The bill to be entitled

An act to regulate contested elections for Governor,

Was read the second time.

Mr. Bell moved that the rule be dispensed with, and said bill considered as engrossed, read a third time forthwith, and put upon its passage.

Mr. Keegan moved the indefinite postponement of said bill,

And the question being taken thereon,

It was decided in the affirmative.

Mr. Powell moved, that the House adjourn until 2 o'clock, P. M.

And the question being taken thereon,

It was decided in the negative.

Mr. Boyd from the joint committee on enrolled bills made the following report:

MR. SPEAKER:

The joint committee on enrolled bills have this day examined bills of the following titles, to wit:

An act to authorise the board of police for the county of Jones to levy a special tax, and for other purposes.

An act for the relief of Joshua Reed.

An act to authorise the board of county police of Perry county to levy a county tax, and for other purposes.

An act to levy a special tax in the county of Covington, and

A resolution to dissolve the bonds of matrimony heretofore subsisting between James Ray and Louisa Ray.

And have found the same correctly enrolled.

The Speaker signed said bills.

Ordered, that the clerk carry them to them the Senate for the signature of the President thereof.

Mr. Dixon moved that there be a call of the House,

And the question being taken thereon,

It was decided in the affirmative.

The roll of the members was then called by the clerk, when it was found that the following named members answered to their names—

Messrs. Beasley, Beatie, Bell, Bole, Boyd, Brewer, Carter, Demoss, Dunbar, Dixon, Ellis, Harper, Keegan, Martin, McRae, Morrison, Powell, Ragan, Richardson, Shurtleff, Tucker, Vick, Varnerson—23.

On motion of Mr. Richardson,

It was ordered that Mr. Shelby be excused from further service on the House for this day, and

On motion of Mr. Vance,

It was ordered, that Mr. Barnes be also excused from attendance on the House during this day.

On motion of Mr. Harper,

Ordered, that further action on said call be dispensed with.

Mr. Richardson moved a reconsideration of the vote taken on the bill to be entitled

An act to regulate contested elections for Governor.

After debate,

The previous question was called for by Mr. Dunbar, and being demanded by a majority of the members present,

The said previous question was then put, viz:

Shall the main question be now put?

And decided in the affirmative.

The said main question was then put, viz:

Shall the said vote be reconsidered?

And decided in the negative.

Mr. Tucker submitted the following resolutions:

1. Resolved, That it is considered by this House a neglect of duty for the members of this House to be absent therefrom during its session, without leave specially given by the House.

2. Resolved, That any member who may be absent from the House at any time during its session and without leave, shall forfeit five dollars for each and every time he may be so absent: Provided, that this fine shall not be inflicted if the member be able to give an excuse which may be deemed satisfactory to the House.

Mr. Demoss moved to reject said resolution, pending which question

The House, on motion, adjourned till 2 o'clock, P. M.

2 O'CLOCK, P. M.

The House met pursuant to adjournment—

And resumed the consideration of the motion made by Mr. Demoss to reject the resolution introduced by Mr. Tucker, immediately preceding the last adjournment of the House.

And the question being taken thereon,

It was decided in the affirmative.

The memorial to the Senate and House of Representative of the Congress of the United States of America in Congress assembled, to locate the Federal District Court at the town of Jackson, in the county of Hinds,

Was read the second time.

Mr. Dunbar moved the indefinite postponement of said memorial.

And the question being taken thereon,

It was decided in the negative.

The House then, on motion of Mr. Vannerson, forthwith resolved itself into a committee of the whole on said memorial; Mr. Vick in the chair,

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Vick reported that the committee of the whole House had, according to order, had said memorial under consideration, had made an amendment thereto, and had instructed him to report the same as amended.

On motion of Mr. Vick,

Ordered, that said report be received and agreed to.

On motion of Mr. Morrison,

Ordered, that said memorial be engrossed and made the order of the day for a third reading on to-morrow.

The bill to be entitled

An act to provide for the election of certain officers therein named,

Was read the second time.

On motion of Dixon,

Ordered, that said bill lie on the table.

The bill to be entitled

An act more effectually to provide for the prosecution of suits upon bonds, bills, obligations, bills of exchange, promissory notes, and other writings for the payment of money—

Was read the second time.

Whereupon,

On motion of Mr. Howard,

The House forthwith resolved itself into a committee of the whole House on said bill; Mr. Keegan in the chair,

And after some time spent therein,

A message from His Excellency the Governor, was announced at the bar of the House by the door-keeper.

Whereupon,

The Speaker resumed the chair; when

The following written message was received from His Excellency the Governor, by Mr. Allen, his private secretary:

MR. SPEAKER:

I am requested by the Governor to inform this House, that he has this day approved and signed the following bills and resolutions, to wit:

An act to incorporate the Mississippi Insurance Company at Vicksburg.

An act to amend the seventh chapter of the acts, for the year 1824, and the eighty-first chapter of the acts of 1831; and

A resolution to dissolve the bonds of matrimony heretofore subsisting between Washington Ellington and Sally Ellington.

All of which originated in this House.

And then he withdrew.

The House then resumed in committee of the whole, the consideration of the said bill—Mr. Keegan again in the chair.

And after some further time spent therein,

A message from the Senate was announced at the bar of the House by the door-keeper.

Whereupon,

The Speaker resumed the chair; when

The following written message was received from the Senate by Mr. Thomas A. Willis, their Assistant Secretary:

MR. SPEAKER:

The Senate have passed a bill to be entitled

An act to establish boards of police; and define their powers and jurisdiction, and for other purposes; and

A bill to be entitled

An act for the relief of the Mississippi College, in which they desire the concurrence of the House of Representatives.

They have also passed bills from the House of Representatives of the following titles, viz:

A bill to be entitled

An act, further to define and establish the boundary line between the counties of Jackson and Hancock.

A bill to be entitled

An act, to unite the office of Assessor and Collector for Copiah county.

A bill to be entitled

An act for the relief of Peter Ladnier, with an amendment thereto, in which amendment they desire the concurrence of the House of Representatives.

A bill to be entitled

An act, to compel the Clerks and Registers of Jackson county, to keep their offices at the Court House of said county.

A bill to be entitled

An act, to amend an act, entitled "An act, to incorporate the town of Raymond, in the county of Hinds, approved December 15th, 1830."

A bill to be entitled

An act, to define certain duties of the Governor, and to establish his salary; and

A bill to be entitled

An act, to authorize the board of county police of Jackson county, to levy a special tax.

They have indefinitely postponed the resolution from the House of Representatives, concerning the election of a Senator in Congress.

And then he withdrew.

Whereupon,

The House again resumed in committee of the whole, the consideration of the said bill—Mr. Keegan again in the chair.

And after some further time spent therein,

The Speaker resumed the chair; when

Mr. Keegan reported, that the committee of the whole House had, according to order, had said bill under consideration, had made sundry amendments thereto, and had instructed him to report the same as amended.

Mr. Keegan moved that said report be received and agreed to.

A division of the question being called for—

It was taken on receiving said report,

And decided in the affirmative.

It was then moved by Mr. Vick, that the same be indefinitely postponed.

And the question being taken thereon,

It was decided in the negative.

YEAS 6—NAYS 23.

The yeas and nays being demanded by three of the members present.

Those who voted in the affirmative are—

Messrs. Speaker, Allen, Bole, Harper, Howard, Vick—

Those who voted in the negative are—

Messrs. Beasley, Beatie, Bell, Bingaman, Boyd, Brewer, Carter, Demoss, Dunbar, Dixon, Ellis, Keegan, Martin, McRae, Morrison, Powell, Ragan, Richardson, Shelby, Shurleff, Tucker, Vance, Vannerson—23.

The question then recurred on agreeing to the said report, and the reading of the amendments being called for, the same were severally read, and concurred in by the House.

It was then moved by Mr. Howard, to amend the 10th section of said bill as follows:

Insert after the word "brought" the words "under the provisions of this act."

And the question being taken thereon,

It was decided in the affirmative.

A motion was then made by Mr. Harper, further to amend the said 10th section as follows:

Strike out the whole of said section.
And the question being taken thereon,
It was decided in the affirmative.

YEAS 18—NAYS 14

The yeas and nays being demanded by three of the members present:
Those who voted in the affirmative are—

Messrs. Speaker, Allen, Beasley, Bell, Bole, Boyd, Brewer, Carter, Ellis, Harper, Keegan, Martin, McKee, Powell, Ragan, Shurtleff, Tucker, Vannerson—18.

Those who voted in the negative are—

Messrs. Beatie, Bingaman, Demoss, Dunbar, Dixon, Howard, Morrison, Richardson, Shelby, Vance, Vick—11.

Mr. Howard moved to amend the 9th section of said bill by adding at the end thereof, the words, to wit:

“Except in cases where issues of fact or law, are actually made up by the pleadings.”

And the question being taken thereon,

It was decided in the negative.

On motion of Mr. Shurtleff,

Ordered, that said bill be engrossed and made the order of the day for a third reading on to-morrow.

Mr. Demoss presented a communication from Samuel M. Pucket in relation to a forfeited lot.

Mr. Tucker moved that the same be rejected.

And the question being taken thereon,

It was decided in the negative.

It was then moved by Mr. Demoss, that said communication be referred to the committee on Propositions and Grievances, and that said committee have leave to send for persons and papers.

Mr. Harper moved that said communication lie on the table.

And the question being taken thereon,

It was decided in the negative.

The question was then taken on the motion made by Mr. Demoss to refer said communication to the committee on Propositions and Grievances,

And was decided in the affirmative.

Mr. Vannerson called for the consideration of the message received from the Senate on this day.

Mr. Tucker moved that the House adjourn—

And the question being taken thereon,

It was decided in the negative.

The House then on motion of Mr. Bingaman, adjourned till half past six o'clock, P. M.

HALF PAST 6 O'CLOCK, P. M.

The House met pursuant to adjournment—

When the roll was called by the clerk, and there not being a quorum of members present—

On motion of Mr. Boyd,

It was ordered that the absent members be sent for.

The House then on motion of Mr. Shurtleff, took a recess for ten minutes.

7 O'CLOCK, P. M.

The roll was again called and a quorum of the members appearing—

Mr. Howard made the following report:

MR. SPEAKER:

The Judicial committee and chairman thereof, have instructed me as a sub committee to report to this House a bill to be entitled

An act to continue in force an act entitled "an act to establish a court of Criminal jurisdiction in and for the county of Adams."

On motion of Mr. Howard,

Ordered, that said report be received.

Whereupon,

Said bill was read the first time.

On motion of Mr. Bingaman,

The House proceeded to consider the message received from the Senate on this day.

Whereupon,

The bill to be entitled

An act for the relief of the Mississippi College,

Was read the first time.

On motion of Mr. Howard,

The rule was dispensed with, and said bill read a second time forthwith.

Whereupon,

On motion of Mr. Demoss,

The House forthwith resolved itself into a committee of the whole on said bill—Mr. McRae in the chair.

And after some time spent therein,

The Speaker resumed the chair; when

Mr. McRae reported, that the committee of the whole House had, according to order, had said bill under consideration, and had instructed him to report the same without amendment.

On motion of Mr. McRae,

Ordered, that said report be received and agreed to.

On motion of Mr. Howard,

Ordered, that said bill be made the order of the day for a third reading on to-morrow.

On motion of Mr. Shurtleff,

Ordered, that the House concur in the amendment made by the Senate to the bill to be entitled

An act for the relief of Peter Ladnier, and others.

Ordered, that the clerk acquaint the Senate therewith.

The bill from the Senate to be entitled

An act to establish boards of police and define their powers and jurisdiction, and for other purposes,

Was read the first time.

Mr. Demoss, moved that the House adjourn.

And the question being taken thereon.

It was decided in the negative.

A motion was then made by Mr. Howard, that the rule requiring bills to be read on three several days be dispensed with, and that the bill from the Senate to be entitled

An act to establish boards of police and define their powers and jurisdiction, and for other purposes, be read a second time forthwith.

And the question being taken thereon,

It was decided in the affirmative.

Whereupon,

On motion of Mr. Demoss,

Said bill was read a second time by its title.

On motion of Mr. Howard,

Ordered that the said bill be committed to a committee of the whole House, and made the order of the day for to-morrow.

And then the House adjourned.

Thursday, February 21, 1833.

The House met pursuant to adjournment.

Mr. Vick, from the select committee, to whom was referred the petition of the heirs of Eve Hyland, praying the passage of an act emancipating a certain slave therein named,

Reported, that the committee had, according to order, had said petition under consideration and had instructed him to report a bill to be entitled

An act to emancipate Joe, a person of color.

On motion of Mr. Vick,

Ordered, that said report be received.

Whereupon,

Said bill was read the first time.

On motion of Mr. Harper,

Ordered, that said bill be rejected.

Mr. Carter, from the select committee to whom was referred to petition of Elias Newell, praying the passage of an act nullifying a certain deed

of gift made to his son, Derrill Y. Newell.

Reported, that the committee had according to order, had said petition under consideration and instructed him to report a bill to be entitled

An act for the relief of Elias Newell.

On motion of Mr. Carter,

Ordered, that said report be received.

Whereupon,

Said bill was read the first time.

On motion of Mr. Demoss,

Ordered, that said bill be rejected.

Mr. Ellis, from the select committee to whom was committed the bill to be entitled

An act to make valid certain acts of William MacGehee, as Treasurer of the county of Jones,

Reported, that the committee had, according to order, had said bill under consideration, had made an amendment thereto, and had instructed him to report the same as amended.

On motion of Mr. Ellis,

Ordered, that said report be received.

Whereupon,

Said amendment was read and concurred in by the House.

On motion of Mr. Harper,

Ordered, that said bill be engrossed and made the order of the day for a third reading on to-morrow.

Mr. Vannerson made the following report:

MR. SPEAKER:

The joint select committee on the fifth article of the revised Constitution, in the further discharge of the duties assigned them, having had the subject again under consideration, have instructed me as chairman of the committee, raised on the part of this House, to report a bill to be entitled

An act, to provide for and prescribe the manner of filling vacancies in public offices. Which bill is herewith respectfully submitted.

WM. VANNERSON, Chairman.

On motion of Mr. Vannerson,

Ordered, that said report be received.

Whereupon,

Said bill was read the first time.

On motion of Mr. Keegan,

The rule was dispensed with, and said bill was read the second time by its title.

The House then on motion of Mr. Keegan, forthwith resolved itself into a committee of the whole on said bill—Mr. Demoss in the chair.

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Demoss reported, that the committee of the whole House had ac-

according to order, had said bill under consideration, had made sundry amendments thereto, and had instructed him to report the same as amended.

On motion of Mr. Demoss, said report was received; and

On motion of Mr. Dunbar, the same was agreed to.

It was then moved by Mr. Bell to amend said bill as follows:

Strike out the words "one year" in section 2d, line 7th, and insert the words "six months;" strike out the words "one year" in line 11th, and insert in lieu thereof, the words "six months."

A division of the question being demanded by Mr. Harper —

It was taken on striking out, and decided in the negative.

On motion of Mr. Bingaman,

Ordered, that said bill be engrossed and made the order of the day for a third reading on to-morrow.

On motion of Mr. Keegan,

The House proceeded to consider the bill to be entitled

An act, to divide Lowndes county, and define the boundaries thereof, and to lay off and define the boundaries of new counties, and for other purposes.

On motion of Mr. Tucker,

Ordered, that said bill be made the order of the day for Monday next.

The bill from the Senate to be entitled

An act, for the relief of the Mississippi College,

Was read the third time.

And the question being put, shall the bill pass?

It was decided in the affirmative.

YEAS 18—NAYS 8.

The yeas and nays being demanded by three of the members present:

Those who voted in the affirmative are—

Messrs. Allen, Bessley, Beane, Bell, Bingaman, Boyd, Demoss, Dunbar, Dixon, Keegan, Morrison, Powell, Ragan, Richardson, Shelby, Shurtlett, Vick, Vanhook—18.

Those who voted in the negative are—

Messrs. Speaker, Carter, Ellis, Harper, Learned, Martin, McDonald, Tucker—8.

Ordered, that the title of said bill be as stated.

The engrossed bills entitled

An act more effectually to provide for the prosecution of suits upon bonds, bills, obligations, bills of exchange, promissory notes, and other writings for the payment of money; and

An act to provide for a contingent fund of the Executive Department, Were severally read the third time, and passed with their titles as stated.

The engrossed memorial to the Senate and House of Representatives of the Congress of the United States of America in Congress assembled, to locate the Federal District Court at the town of Jackson, in the county of Hinds—

Was read the third time and passed.

Ordered, that the clerk carry said memorial and bills to the Senate, and request their concurrence therein.

The bill from the Senate to be entitled

An act, to establish boards of police, and define their powers and jurisdiction, and for other purposes, was in order for a committee of the whole House.

On motion of Mr. Bingaman,

Ordered, that said bill be committed to a select committee of three members—

And in pursuance thereto,

Messrs. Bingaman, Harper and Keegan were appointed.

The bill to be entitled

An act, to amend an act, to regulate the taking of documentary testimony in certain cases, and for other purposes, approved December 15th, 1830,

Was read the second time.

On motion of Mr. Bingaman,

The House forthwith proceeded to consider in committee of the whole, on the said bill—Mr. Howard in the chair.

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Howard reported, that the committee of the whole House had, according to order, had said bill under consideration; had made an amendment thereto, and instructed him to report the same as amended.

Mr. Howard moved that said report be received and agreed to.

A division of the question being called for by Mr. Vannorman,

It was first taken on receiving said report—

And decided in the affirmative.

It was then taken on agreeing to said report—

Which was also decided in the affirmative.

On motion of Mr. Vannerson,

Ordered, that said bill be engrossed, and made the order of the day for a third reading on to-morrow.

The bill to be entitled

An act to reduce into one the several acts concerning the mode of electing and jurisdiction of Justices of the Peace in this State, was in order for a second reading.

On motion of Mr. Keegan,

The rule was dispensed with and said bill was read the second time by its title.

On motion of Mr. Howard,

Ordered, that said bill be committed to the committee on the Judiciary.

Mr. Bingaman, from the committee on Ways and Means made the following report:

MR. SPEAKER:

The committee of Ways and Means have instructed me to report, that they deem it inexpedient to recommend any alteration in the revenue system of the State. Large as have been the expenditures of the past and current year, and liberal as have been the appropriations of the present session, they have no doubt, judging from the reports of the Auditor and Treasurer, that the receipts of the Treasury, at the commencement of the fiscal year, will be amply sufficient to meet them, and to defray the ordinary expenses of government. They would, however, by no means be understood to intimate a belief, that the revenue laws are altogether equitable, or that changes might not be made in them, which would tend to advance the general interest of our constituents; but they feel themselves constrained to decline the suggestion of any such alterations, at the close of a session so arduous and important; and which has already been so laborious and protracted.

To your committee was also referred the report of the commissioners appointed in pursuance of a resolution relative to the establishment of a Penitentiary, passed by the General Assembly on the 19th day of December, 1832. Your committee are opposed to any appropriation, at the present session, for the erection of a penitentiary. Our State expenditures have already been great, and inasmuch as from unforeseen causes, suggested in the report, the information contained in it is not as accurate and extensive as the zeal and ability of the commissioners would, under more favorable circumstances, have enabled them to afford, and which prudence would induce us patiently to await, before proceeding to impose so heavy a burden on the treasury of the State—they would beg leave to recommend the adoption of the following resolution:

Be it resolved by the Legislature of the State of Mississippi, That the thanks of this body be tendered to the commissioners, who were appointed, in pursuance of a resolution relative to a Penitentiary, passed December 19, 1832, for the industry and zeal displayed by them in endeavoring to collect the information requested of them; and that they be respectfully solicited to prosecute their inquiries upon the subject committed to them, and to report such additional information as they may be enabled to obtain, to the next meeting of the Legislature of the State.

A. L. BINGAMAN,

Chairman of the committee of Ways and Means.

Mr. Bingaman moved that said report be received and agreed to.

Mr. Dunbar called for a division of the question.

It was then taken on receiving said report,

And decided in the affirmative.

Whereupon,

On motion of Mr. Dunbar,

It was ordered that so much of said report as relates to the revenue laws lie on the table.

The question being then taken on the remainder of said report—

Was decided in the affirmative.

The resolution in relation to the commissioners on the subject of a Penitentiary,

Was then read the first time.

On motion of Mr. Keegan,

The rule was dispensed with, and said resolution was read the second time.

On motion of Mr. Pingaman,

Ordered, that said resolution be engrossed and made the order of the day for a third reading on to-morrow.

The House then adjourned 'til 2 o'clock, P. M.

2 O'CLOCK, P. M.

The House met pursuant to adjournment.

Mr. Shurtleff from the committee on enrolled bills made the following report:

MR. SPEAKER:

The joint committee on enrolled bills have examined bills with the following titles, to wit:

An act further to define and establish the boundary line between the counties of Jackson and Hancock.

An act for the relief of Peter Ladnier and others.

An act to compel the clerks and registers of Jackson county to keep their offices at the court house of said county.

An act to unite the office of Assessor and Collector for Copiah county.

An act to amend an act entitled "an act to incorporate the town of Raymond in the county of Hinds, approved December 15, 1830."

An act to authorize the board of county police of Jackson county to levy a special tax; and

An act to define certain duties of the Governor and to establish his salary; and have found the same correctly enrolled.

The Speaker signed said bills.

Ordered, that the clerk carry them to the Senate for the signature of the President thereof.

On motion of Mr. McDonald,

The House proceeded to consider so much of the report of the committee of Ways and Means as was ordered on this day to lie on the table.

And thereupon,

On motion of Mr. McDonald,

It was ordered that the House do agree to the same.

Mr. Beatie called for the consideration of the bill to be entitled

An act to change and define the boundary lines of Madison county.

And the question being taken thereon,

It was decided in the negative.

By leave of the House, Mr. Bole introduced a bill to be entitled

An act to provide for running and marking the line between the counties of Yazoo and Holmes, and for other purposes.

Which was read the first time.

On motion of Mr. Bole:

The rule was dispensed with and said bill was read the second time by its title.

On motion of Mr. Bole.

Ordered, that said bill be committed to a committee of the whole House and made the order of the day for to-morrow.

Mr. Dixon moved a reconsideration of the vote taken on the order on the bill to be entitled

An act to establish the Agricultural Bank of Mississippi.

And after debate—

Mr. Dunbar called for the previous question, which was sustained by a majority of the members present.

YEAS 21—NAYS 11.

The yeas and nays being called for by three of the members present:

Those who voted in the affirmative are—

Messrs. Speaker, Allen, Beasley, Beatie, Bingaman, Bole, Carter, Demoss, Dunbar, Dixon, Harper, Martin, McRae, McDonald, Morrison, Powell, Richardson, Shelby, Shurtleff, Vance, Vick—21.

Those who voted in the negative are—

Messrs. Bell, Boyd, Brewer, Ellis, Howard, Keegan, Learned, Ragan, Tucker, Vannerson, Vannorman—11.

The said previous question was then put, viz:

Shall the main question be now put?

And decided in the affirmative.

The said main question was then put, viz:

Shall the vote taken on the order on said bill be reconsidered?

And was decided in the affirmative.

YEAS 24—NAYS 8.

The yeas and nays being called for by three of the members present:

Those who voted in the affirmative are—

Messrs. Speaker, Allen, Beasley, Beatie, Bingaman, Bole, Boyd, Brewer, Carter, Demoss, Dunbar, Dixon, Keegan, Martin, McRae, McDonald, Morrison, Ragan, Richardson, Shelby, Shurtleff, Vance, Vick, Vannorman—24.

Those who voted in the negative are—

Messrs. Bell, Ellis, Harper, Howard, Learned, Powell, Tucker, Vannerson—8.

Mr. Tucker moved, that the further consideration of said bill be postponed until the third Monday in November next.

And the question being taken thereon,

It was decided in the negative.

The question was then taken on committing said bill to a committee of the whole House on to-morrow,

And decided in the negative.

Mr. Howard moved, that said bill be committed to a committee of the whole House forthwith.

And the question being taken thereon,

It was decided in the negative.

The question then recurred on the passage of said bill.

After debate,

The previous question was called for by Mr. Demoss, and being demanded by a majority of the members present,

The said previous question was then put, viz:

Shall the main question be now put?

And decided in the affirmative.

The said main question was then put, viz:

Shall the said bill pass?

And decided in the affirmative.

YEAS 21—NAYS 11.

The yeas and nays being demanded by three of the members present:

Those who voted in the affirmative are—

Messrs. Speaker, Allen, Beasley, Beatie, Bingaman, Bole, Boyd, Brewer, Demoss, Dunbar, Dixon, Martin, McRae, McDonald, Morrison, Ragan, Richardson, Shelby, Shurtleff, Vance, Vannorman—21.

Those who voted in the negative are—

Messrs. Bell, Carter, Ellis, Harper, Howard, Keegan, Learned, Powell, Tucker, Vick, Vannerson—11.

So the bill passed.

Ordered, that the title thereof be as stated, and that the clerk carry the said bill to the Senate and request their concurrence therein.

A message from the Senate, by Mr. Willis, their acting Secretary.

MR. SPEAKER:

The Senate have passed a bill to be entitled

An act better to provide for the apprehension and detection of refugee slaves.

In which bill they desire the concurrence of the House of Representatives.

They have indefinitely postponed the bill from the House of Representatives, to be entitled

An act to incorporate the officers and members of the Woodville Guards, and for other purposes.

And a bill from the House of Representatives to be entitled

An act to grant a site for a steam mill to Thomas Bryan and others.

They have rejected the bill from the House of Representatives to be entitled

An act to prescribe the form of commission in this State.

And then he withdrew.

When the following message was received from His Excellency the Governor, by Mr. Allen, his private Secretary:

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MR. SPEAKER:

I am directed by the Governor to inform this House, that he has this day approved and signed bills and resolutions of the following titles, to wit:

An act for the relief of Joshua Reed,

An act to authorize the board of police for the county of Jones to levy a special tax, and for other purposes.

An act to authorize the board of county police of Perry county to levy a county tax, and for other purposes.

An act to levy a special tax in the county of Covington, and

A resolution to dissolve the bonds of matrimony heretofore subsisting between James Ray and Louisa Ray.

All of which originated in this House.

And then he withdrew.

The bill to be entitled

An act, to amend the several acts now in force, concerning the militia of this State—

Was read the second time.

On motion of Mr. Shurtleff,

The House forthwith resolved itself into a committee of the whole on said bill—Mr. Tucker in the chair.

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Tucker reported, that the committee of the whole House had, according to order, had said bill under consideration, had made some progress therein, but not having come to any determination thereon, had instructed him to ask leave to sit again.

On motion of Mr. Tucker,

Ordered, that said report be received.

On motion of Mr. Shurtleff,

Ordered, that said bill be committed to the committee by whom it was reported.

On motion of Mr. Vannorman,

Ordered, that Messrs. Bell and Ragan be added to said committee.

On motion of Mr. Tucker,

Ordered, that Mr. Brewer be added to said committee.

The bill to be entitled

An act, to carry into effect the second section of the seventh article of the Constitution—

Was read the second time.

Mr. Tucker moved that said bill be indefinitely postponed.

After debate—

The previous question was called for by Mr. Richardson, and being demanded by a majority of the members present—

The said previous question was then put, viz:

Shall the main question be now put?

And decided in the affirmative.

The said main question was then put, viz:

Shall said bill be indefinitely postponed?

And decided in the negative.

YEAS 12—NAYS 16.

The yeas and nays being demanded by three of the members present:

Those who voted in the affirmative are—

Messrs. Speaker, Bingaman, Bole, Boyd, Brewer, Dunbar, Dixon, Richardson, Shelby, Tucker, Vick, Vannerson—12.

Those who voted in the negative are—

Messrs. Allen, Beasley, Beatie, Bell, Carter, Ellis, Harper, Keegan, Learned, Martin, McRae, McDonald, Morrison, Powell, Ragan, Shurtleff—16.

On motion of Mr. Learned,

Ordered, that said bill be committed to a committee of the whole House, and made the order of the day for to-morrow.

And then the House adjourned.

Friday, February 22, 1833.

The roll of the members being called by the clerk, and a quorum of the members not appearing, it was ordered on motion of Harper, that the absent members be sent for.

Whereupon,

The door keeper was furnished by the clerk with a list of the names of the absentees, who proceeded to notify them that the House was in waiting for them.

And thereupon,

A quorum of the members appeared; when

Mr. Tucker presented the petition of the citizens of a part of the Choctaw nation over which the jurisdiction of Lowndes county is extended.

Which was ordered to lie on the table.

Mr. Boyd made the following report:

MR. SPEAKER:

The select committee to whom was referred so much of the Governor's message as relates to the Northern boundary line of this State have had the same under consideration, and beg leave to make the following report:

We are of opinion that no question can ever arise as to the fact that the 35th degree of North latitude is the true boundary, as it was recognized as such between Georgia and North Carolina prior to the cession of the latter to the government of the United States, of that portion of her

territory which now forms the State of Tennessee, and is in said cession recited as the Southern boundary line of the same. The articles of agreement and cession made between the government of the United States and Georgia in 1802, in which the latter ceded to the former that portion of her territory which now forms the States of Alabama and Mississippi, recognizes that as the true boundary. Your committee are therefore of opinion that the only object of making this examination will be to ascertain and mark out the precise line corresponding with that degree of latitude. This line has been once run in conformity to a treaty made with the Chickasaw Indians, and under an impression, as your committee presumes, that said line was incorrectly run.

Governor Brandon in his annual message transmitted to the Legislature in 1829, recommended the subject to their consideration, in pursuance of which a resolution was passed authorizing the Governor of this State to open a correspondence with the Governor of Tennessee, desiring his co-operation in requesting the President of the United States to furnish a competent officer from the corps of engineers to ascertain the true line between the said States, and upon notice of such appointment having been made by the President, appoint a commissioner on the part of this State to attend said engineer and to make a full report thereof to the Governor, as soon as practicable after the said service was performed. In pursuance of which resolution the Governor appointed Major John Holbrook such commissioner, who accordingly made his report. From which it appears that the observation made by that gentleman did not materially vary from the line as before run. In conclusion, your committee are of opinion that no urgent necessity exists at this time to make such survey and more particularly so, as the line which may be run under the authority of the State of Tennessee cannot affect the rights of this State, if it should in future be found to be incorrect.

On motion of Mr. Boyd,

Ordered, that said report be received.

On motion of Mr. Tucker,

Ordered, that the same do lie on the table.

Mr. Shurtleff, from the select committee to whom was recommended the bill to be entitled

An act to amend the several acts now in force concerning, the Militia of this State, reported that the committee had, according to order, again had said bill under consideration, had made an amendment thereto, and had instructed him to report the same as amended.

On motion of Mr. Shurtleff,

Ordered, that said report be received.

Whereupon,

Said amendment was read and concurred in by the House.

Mr. Demoss moved that said Bill be committed to a committee of the whole House, and made the order of the day for to-morrow.

And the question being taken thereon,

It was decided in the negative.

The House then, on motion of Mr. Tucker, proceeded forthwith in committee of the whole to consider said bill—Mr. McDonald in the chair.

And after some time spent therein,
The Speaker resumed the chair; when

Mr. McDonald reported, that the committee of the whole House had, according to order, had said bill under consideration, had made sundry amendments thereto, and had instructed him to report the same as amended.

On motion of Mr. McDonald,

Ordered, that said report be received and agreed to.

It was then moved by Mr. Howard,

That said bill be amended as follows:

Strike out the 6th section.

And the question being taken thereon,

It was decided in the negative.

YEAS 7—NAYS 21.

The yeas and nays being demanded by three of the members present:

Those who voted in the affirmative are—

Messrs. Bell, Boyd, Brewer, Carter, Ellis, Howard, Tucker—7.

Those who voted in the negative are—

Messrs. Speaker, Allen, Beasley, Beatie, Bingaman, Bole, Dunbar, Dixon, Harper, Keegan, Martin, McRae, Morrison, Powell, Ragan, Richardson, Shelby, Shurtleff, Vick, Vannerson, Vannorman—21.

On motion of Mr. Shurtleff,

Ordered, that said bill be engrossed and made the order of the day for a third reading on to-morrow.

Mr. Bell, from the joint committee on claims, made following report:

MR. SPEAKER:

The joint committee on claims, to whom was referred the petition and account of Gadi Gibson, the account of James S. Caraway, and the petition and account of William L. Trimble, as administrator of Frederick B. Trimble, have examined the same, and have instructed me to report that they are of the opinion the several claims are reasonable and just and ought to be allowed; and have directed me to ask leave that the said petition and accounts be transferred to the committee of accounts, with instructions to insert the same in the general appropriation bill.

On motion of Mr. Bell,

Ordered, that said report be received and agreed to.

Mr. Vannerson, from the committee on enrolled bills, made the following report:

MR. SPEAKER:

The joint committee on enrolled bills, have this day examined acts of the following title, to wit:

An act to authorize John W. Thompson to erect and keep a toll bridge over the main Bayou Pierre.

An act for the relief of the Mississippi College, and

A resolution requiring the Secretary of State to transmit the Attorney General, a copy of the report of the committee of accounts.

And have found the same correctly enrolled.

The Speaker signed said bills.

Ordered, that the clerk carry them to the Senate for the signature of the President thereof.

Mr. Demoss asked and obtained leave to introduce a bill to be entitled
An act to incorporate the town of Jackson, in Hinds county.

Which was read the first time.

Mr. Tucker moved that said bill lie on the table,

And the question being taken thereon,

It was decided in the negative.

Whereupon,

On motion of Mr. Demoss,

The rule was dispensed with, and said bill was read the second time by its title.

On motion of Mr. Demoss,

Ordered, that said bill be engrossed and made the order of the day for a third reading on to-morrow.

The bill from the Senate to be entitled

An act better to provide for the apprehension and detection of fugitive slaves,

Was read the first time.

Mr. Bole moved to reject said bill.

Mr. Boyd moved that the same do lie on the table,

And the question being taken thereon,

It was decided in the negative.

The question was then taken on the motion made by Mr. Bole to reject said bill.

And decided in the affirmative.

A message from the Senate, by Mr. Gilbert, their reading clerk.

MR. SPEAKER:

The Senate have passed bills of the following titles, viz:

A bill to be entitled an act to amend an act entitled

An act to revive the militia system, approved February 12th, 1830, and the bill to be entitled

An act to regulate elections in this state.

In which bills they desire the concurrence of the House of Representatives.

They have passed the following bills and resolution from the House of Representatives, viz:

A bill to be entitled

An act for the relief of Charles Holland and John R. Little.

A bill to be entitled

An act to incorporate the officers and members of Raymond Lodge, No. 21, in the town of Raymond, in Hinds county.

A bill to be entitled

An act for the incorporation of the town of Grand Gulf, in the county of Claiborne,

And a resolution in relation to the cross mail from Burnt Corn to Natchez.

They have indefinitely postponed the resolution from the House of Representatives, in relation to N. G. Howard,

And the bill from the House of Representatives to be entitled

An act more effectually to provide for the prosecution of suits upon bonds, bills, obligations, bills of exchange, promissory notes, and other writings, for the payment of money.

And then he withdrew.

The engrossed bills entitled, to wit:

An act to provide for and prescribe the manner of vacancies in public offices; and

An act to amend an act, to regulate the taking of documentary testimony in certain cases, and for other purposes, approved 15th December, 1830—

Were read the third time, and passed with their titles as stated.

Ordered, that the clerk carry said bills to the Senate, and request their concurrence therein.

The bill from the Senate to be entitled

An act, to regulate elections in this State—

Was read the first time.

On motion of Mr. Carter,

The rule was dispensed with, and said bill read the second time by its title.

On motion of Mr. Bingaman,

Ordered, that said bill be committed to a committee of the whole House, and made the order of the day for to-morrow.

The bill from the Senate to be entitled

An act, to amend an act entitled "An act, to revise the militia system, approved 12th February, 1830."

Was read the first time.

On motion of Mr. Boyd,

Ordered, that said bill lie on the table.

A message from the Senate, by Mr. Gilbert, their reading clerk.

MR. SPEAKER:

The President of the Senate has this day signed bills of the following titles, to wit:

An act to amend an act entitled "An act, to incorporate the town of Raymond in the county of Hinds, approved December 15th, 1830.

An act to compel the Clerks and Registers of Jackson county, to keep their offices at the Court House of said county.

An act farther to define and establish the boundary line between the counties of Jackson and Hancock.

An act for the relief of Peter Ladnier and others.

An act to define certain duties of the Governor, and to establish his salary.

An act to authorize the board of county police of Jackson county, to levy a special tax; and

An act to unite the office of Assessor and Collector for Copiah.

And then he withdrew.

Whereupon,

The House adjourned until 2 o'clock, P. M.

2 O'CLOCK, P. M.

The roll was called by the clerk, and there not being a quorum of members present—

It was ordered, on motion of Mr. Vannerson, that the absent members be sent for.

Whereupon,

A quorum of members appeared.

On motion of Mr. Harper,

Ordered, that the House do now proceed to business.

On motion of Mr. Beatie,

The House proceeded to the consideration of the bill, to be entitled

An act, to change and define the boundary lines of Madison county.

On motion of Mr. Morrison,

Ordered, that said bill be indefinitely postponed.

Mr. Shurtleff, from the joint committee on enrolled bills, made the following report.

MR. SPEAKER:

The joint committee on enrolled bills, have on this day presented to His Excellency the Governor, for his approval and signature, bills of the following titles; to wit:

An act to unite the office of Assessor and Collector for Copiah county.

An act further to define and establish the boundary line between the counties of Jackson and Hancock.

An act for the relief of Peter Ladnier and others.

An act to define certain duties of the Governor, and to establish his salary.

An act to authorize the board of county police of Jackson county, to levy a special tax.

An act to compel the Clerks and Registers of Jackson county, to keep their offices at the Court-House of said county.

An act to amend an act entitled "An act, to incorporate the town of Raymond, in the county of Hinds, approved December 15th, 1830.

The engrossed resolution in relation to the commissioners on the subject of a Penitentiary, was read the third time and passed.

Ordered, that the clerk acquaint the Senate therewith, and request their concurrence therein.

The House according to the order of the day, resolved itself into a committee of the whole, on the bill to be entitled

An act, to carry into effect the second section of the seventh article of the Constitution—Mr. Shelby in the chair.

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Shelby reported, that the committee of the whole House had, according to order, had said bill under consideration, had made an amendment thereto, and had instructed him to report the same as amended.

On motion of Mr. Shelby,

Ordered, that said report be received.

Mr. Vannorman moved that said report be agreed to.

Whereupon,

It was ordered, on motion of Mr. Tucker, that the same be indefinitely postponed.

YEAS 19—NAYS—10.

The yeas and nays being demanded by three of the members present:

Those who voted in the affirmative are—

Messrs. Speaker, Beatie, Bell, Bingham, Bole, Boyd, Brewer, Demoss, Dunbar, Howard, McDonald, Morrison, Shelby, Shurtleff, Tucker, Vance, Vick, Vannerson, Vannorman—19.

Those who voted in the negative are—

Messrs. Allen, Beasley, Carter, Ellis, Harper, Keegan, Learned, Martin, McRae, Powell—10.

The bill to be entitled

An act, to carry into effect that part of the 4th article of the Constitution, which provides for the establishment of a Court of Probates in the several counties of this State,

Was read the second time.

On motion of Mr. Tucker,

Ordered, that said bill be committed to a committee of the whole House, and made the order of the day for to-morrow.

The bill to be entitled

An act, concerning the Attorney General and District Attorneys,

Was read the second time.

On motion of Mr. Carter,

The House forthwith resolved itself into a committee of the whole on said bill—Mr. Vannerson in the chair.

And after some time spent therein,

A message from the Senate was announced at the bar of the House by the door-keeper.

Whereupon,

The Speaker resumed the chair; when

The following written message was received from the Senate, by Mr. Gilbert, their reading clerk:

MR. SPEAKER:

The President of the Senate has this day signed bills of the titles following, to wit:

A bill to be entitled

An act for the relief of the Mississippi College.

A bill to be entitled

An act, to authorize John Thompson to erect and keep a toll bridge over the main Bayou Pierre; and

A resolution requiring the Secretary of State, to transmit to the Attorney General, a copy of the report of the committee of accounts.

The Senate have concurred in the amendments made by the House of Representatives to the bill to be entitled

An act, to organize and establish Circuit Courts, and to define their powers in law and equity with an amendment thereto, in which I am instructed to ask the concurrence of the House of Representatives.

And then he withdrew.

When the House resumed in committee of the whole the consideration of the said bill; Mr. Vannerson again in the chair.

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Vannerson reported, that the committee of the whole House had, according to order, had said bill under consideration, had made sundry amendments thereto, and had instructed him to report the same as amended.

On motion of Mr. Vannerson,

Ordered, that said report be received.

Whereupon,

The first of said amendments was read and concurred in by the House.

The second amendment proposing to fill the first blank in the 7th section allowing an annual salary of one thousand dollars to the Attorney General, was read and concurred in by the House.

YEAS 20—NAYS 8.

The yeas and nays being called for by three of the members present:

Those who voted in the affirmative are—

Messrs. Speaker, Beatie, Bell, Bingaman, Bole, Boyd, Brewer, Demoss, Dunbar, Dixon, Howard, Learned, McRae, Morrison, Richardson, Shelby, Shurtleff, Vick, Vannerson, Vannorman—20.

Those who voted in the negative are—

Messrs. Allen, Beasley, Carter, Ellis, Keegan, Martin, McDonald, Tucker—8.

The third amendment was read, and concurred in by the House.

The fourth amendment proposing to strike out from the 8th section of said bill, the words "for the use and benefit of the literary fund," being read, was disagreed to by the House.

YEAS 11—NAYS 16.

The yeas and nays being called for by three of the members present:

Those who voted in the affirmative are—

Messrs. Allen, Bell, Bole, Carter, Keegan, Martin, Morrison, Shurtleff, Tucker, Vannerson, Vannorman—11.

Those who voted in the negative are—

Messrs. Speaker, Beasley, Beatie, Bingaman, Boyd, Demoss, Dunbar, Dixon, Ellis, Howard, Learned, McRae, McDonald, Richardson, Shelby, Vick—16.

The fifth amendment being read, was concurred in by the House.

It was then moved by Mr. Keegan, that said bill be amended as follows:

Insert after the word "interested," in the 24th line, section first, the words "and shall also attend all the Circuit Courts of the District in which he may be required to reside by the provisions of the Constitution, and prosecute or defend all suits in which the State may be interested."

And the question being taken thereon,

It was decided in the negative.

YEAS 11—NAYS 17.

The yeas and nays being called for by three of the members present:

Those who voted in the affirmative are—

Messrs. Allen, Brewer, Carter, Dixon, Ellis, Keegan, Martin, McDonald, Richardson, Shurtleff, Vannerson—11.

Those who voted in the negative are—

Messrs. Speaker, Beasley, Beatie, Bell, Bingaman, Bole, Boyd, Demoss, Dunbar, Howard, Learned, McRae, Morrison, Shelby, Tucker, Vick, Vannorman—17.

On motion of Mr. Bingaman,

Ordered, that said bill be engrossed and made the order of the day for a third reading on to-morrow.

And then the House adjourned.

Saturday, February 23, 1833.

The House met pursuant to adjournment.

Mr. Dixon made the following report:

MR. SPEAKER:

The committee on propositions and grievances, to whom was referred the petition of Samuel M. Puckett, have had the same under consideration, and have instructed me to report that the subject matter of said petition is embraced in their report made to this House on the petition of John Thompson, and have further instructed me to report, that the bill which accompanied said last mentioned reference and report, and which now

being upon the table, provides fully for the relief which is prayed for by the said Samuel M. Puckett.

On motion of Mr. Dixon,

Ordered, that said report be received, and that the same do lie on the table.

Mr. Carter submitted the following resolution:

Resolved, with the concurrence of the Senate, that no new business of a general or local nature, shall be introduced in either House after Monday 25th instant.

Mr. Dixon moved, that said resolution be rejected.

After debate,

The previous question was called for by Mr. Vannorman, and being demanded by a majority of the members present,

The said previous question was then put, viz:

Shall the main question be now put?

And decided in the affirmative.

The said main question was then put, viz:

Shall said resolution be rejected?

And decided in the affirmative.

The House proceeded to the consideration of the amendments made by the Senate to the amendments to the bill to be entitled

An act to organize and establish Circuit Courts, and to define their powers in law and equity.

On motion of Mr. Keegan,

Ordered, that the House disagree to said amendments, and that the Clerk acquaint the Senate therewith.

On motion of Dixon,

The House proceeded to consider the report of the committee on propositions and grievances, made on the subject of the petition of John Thomson:

Mr. Bole moved, that the House disagree to said report;

And the question being taken thereon,

It was decided in the negative.

A message from the Senate, by Mr. Gilbert, their acting Secretary.

MR. SPEAKER:

The Senate have appointed on their part Messrs. Prosser, Harris and Winston a committee on the subject of the disagreement of the two Houses on the amendments to the amendments to the bill, to be entitled

An act to organize and establish Circuit Courts, and to define their powers in law and equity.

And then he withdrew.

Whereupon,

On motion of Mr. Vannorman,

Ordered, that a committee to consist of one member from each county in the third judicial district, be appointed to meet the committee of conference on the part of the Senate;

And in pursuance thereto,
Messrs. Boyd, Vannorman, Learned, Brewer, Martin, Keegan, and
Shurtleff, were appointed.

Ordered, that the clerk acquaint the Senate therewith.
Mr. Vannerson, from the committee on enrolled bills, made the following report:

MR. SPEAKER:

The joint committee on enrolled bills have this day examined bills of the following titles, to wit:

An act for the incorporation of the town of Grand Gulf, in the county of Claiborne.

An act for the relief of Charles Holland and John R. Little, and

An act to provide for the erection of a State House and other public buildings in the town of Jackson, and for the sale of public lots in said town, and for other purposes,

And have found the same correctly enrolled.

The Speaker signed said bills.

Ordered, that the clerk carry said bills to the Senate, for the signature of the President thereof.

The bill to be entitled

An act to incorporate the Antioch Baptist Church, in Warren county,

Was read the third time,

And passed with its title as stated.

Ordered, that the clerk acquaint the Senate therewith, and request their concurrence therein.

The bill to be entitled

An act to amend the several acts now in force, incorporating and concerning the town of Woodville,

Was in order for a third reading.

On motion of Mr. Boyd,

Ordered, that said bill be recommitteed to the committee by whom it was reported.

Mr. Vannerson submitted the following resolution:

Resolved, that a committee of three be appointed to take into consideration the propriety of granting relief to the former purchasers of lots in the town of Jackson, also for the relief of public officers who may have improved any lot or lots in said town—

And the question being taken thereon,

It was decided in the negative.

Whereupon,

It was moved by Mr. Keegan, that said vote be reconsidered.

And after debate,

The previous question was called for by Mr. Dunbar,

And being demanded by a majority of the members present;

The said previous question was then put, viz:

Shall the main question be now put?

And was decided in the affirmative.

The said main question was then put, viz:

Shall the said vote be reconsidered?

And decided in the affirmative.

YEAS 20—NAYS 7.

The yeas and nays being called for by three of the members present:

Those who voted in the affirmative are—

Messrs. Speaker, Allen, Beatie, Bell, Bole, Boyd, Brewer, Demoss, Dunbar, Dixon, Howard, Keegan, Learned, McKee, Morrison, Shurtleff, Vance, Vick, Vannerson, Vannorman 20.

Those who voted in the negative are—

Messrs. Beasley, Carter, Ellis, Martin, McDonald, Powell, Tucker—7.

The question was then taken on the adoption of said resolution,

And decided in the affirmative.

The committee appointed were Messrs. Vannerson, Dunbar and Howard.

A message from the Senate, by Mr. Gilbert, their acting Secretary:

MR. SPEAKER:

The Senate have passed a bill to be entitled

An act, to authorize the trustees of school lands within each township in this State, to lease the 16th sections within the same for ninety-nine years, and for other purposes.

A memorial to the Congress of the United States, in relation to the location of the United States District Court at the town of Jackson.

A bill to be entitled

An act, to establish and organize the high court of errors and Appeals, and to define the powers and jurisdiction thereof, with an amendment thereto—which bills and memorial originated in the House of Representatives, and in the amendment I am instructed to ask the concurrence of this House.

The Senate have also passed a bill to be entitled

An act, for the relief of Samuel T. Scott; and

A bill to be entitled

An act, for the distribution of the Literary Fund among the several counties in this State, and for other purposes. Which two last mentioned bills originated in that body, and in them I am requested to ask the concurrence of this House.

And then he withdrew.

When the amendments to the bill to be entitled

An act, to establish and organize the High Court of Errors and Appeals, and to define the powers and jurisdiction thereof, were read. And

On motion of Mr. Keegan, concurred in by the House.

Ordered, that the clerk acquaint the Senate therewith.

The bill from the Senate to be entitled

An act, for the relief of Samuel T. Scott,

Was read the first time.

On motion of Mr. Beasley,

The rule was dispensed with, and said bill read a second time forthwith.

Whereupon,

On motion of Mr. Learned,

The House proceeded in committee of the whole, to consider said bill—Mr. Boyd in the chair.

And after some time spent therein,

The Speaker resumed the chair, when

Mr. Boyd reported, that the committee of the whole House had, according to order, had the said bill under consideration, and had instructed him to report the same without amendment.

On motion of Mr. Boyd,

Ordered, that said report be received and agreed to.

On motion of Mr. Learned,

The rule was further dispensed with, and said bill read the third time and put upon its passage.

And the question being put, shall the bill pass?

It was decided in the affirmative.

Ordered, that the title of said bill be as stated.

The bill from the Senate to be entitled

An act, for the distribution of the Literary Fund, among the several counties in this State, and for other purposes,

Was read the first time.

On motion of Mr. Carter,

The rule was dispensed with, and said bill read the second time by its title.

On motion of Mr. Bole,

Ordered, that said bill be committed to a committee of the whole House, and made the order of the day for Monday next.

Mr. Shurtleff, from the committee on enrolled bills, made the following report:

MR. SPEAKER:

The joint committee on enrolled bills, have this day examined
An act to incorporate the officers and members of the Raymond Lodge, No. 21, in the town of Raymond, in Hinds county; and

A resolution relative to the cross mail from Burnt Corn to Natchez, and have found the same correctly enrolled.

The Speaker signed the same.

Ordered, that the clerk carry the said bill and resolution to the Senate for the signature of the President thereof.

The bill to be entitled

An act to alter and amend the charter of the incorporation of the President and Trustees of the Franklin Academy, and to repeal an act entitled "an act to alter and amend the charter of the corporation of the President and Trustees of the Franklin Academy, in the county of Lowndes, and for

other purposes, approved December 19, 1831," being in order for a third reading—when the clerk commenced reading the same, and after some progress therein—

It was moved by Mr. Howard, that there be a call of the House.

And the question being taken thereon,

It was decided in the negative.

The clerk then, proceeded to read said bill, and having finished the same—

It was moved by Mr. Tucker, that the same be amended by way of rider, as follows:

Add at the end of said bill the following additional section:

Sec. 11. And be it further enacted, that this act shall take effect and be in force from and after its passage.

Whereupon,

Said rider was read the first time.

On motion of Mr. Tucker,

The rule was further dispensed with, said rider considered as engrossed, read a third time, and together with the bill, put upon its passage.

And the question being put, shall said bill and rider pass?

It was decided in the affirmative.

Ordered, that the title of said bill be as stated, and that the clerk carry the said bill to the Senate, and request their concurrence therein.

Mr. Learned moved that the House adjourn;

And the question being taken thereon,

It was decided in the negative.

The engrossed bills entitled, to wit:

An act to authorize the drawing a lottery to build a Masonic Hall in the town of Clinton, in the county of Hinds.

An act to alter and amend "an act to incorporate the town of Columbus, in the county of Monroe, passed June 27th, 1822, and for other purposes."

An act to make valid certain acts of William McGehee, as Treasurer of the county of Jones; and

An act to incorporate the town of Jackson, in Hinds county—

Were severally read the third time, and passed with their titles as stated.

Ordered, that the clerk carry said bills to the Senate, and request their concurrence therein.

And then the House adjourned till 2 o'clock, P. M.

2 O'CLOCK, P. M.

The House met pursuant to adjournment—

The following message was received from the Senate, by Mr. Gilbert, their acting Secretary:

MR. SPEAKER:

Thd Senate have passed a joint resolution, requiring the Governor to request his Excellency, the President of the United States, to cause to be removed the office of Surveyor General from the town of Washington, in this State, to the town of Jackson.

In which I am instructed to ask the concurrence of this House.

And then he withdrew.

Whereupon,

Said resolution was read the first time.

On motion of Mr. Carter,

The rule was dispensed with, and said resolution read the second time.

Mr. Carter moved that the rule be further dispensed with, and said resolution read the third time and put upon its passage.

Whereupon,

On motion of Mr. Shurtleff,

Ordered, that said resolution lie on the table.

The House, according to the order of the day, resolved itself into a committee of the whole on the bill to be entitled

An act further to extend the powers and privileges of the West Feliciana Rail Road Company within this State, and for other purposes; Mr. Dixon in the chair;

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Dixon reported, that the committee of the whole House had, according to order had said bill under consideration, and had instructed him to report the same without amendment.

On motion of Mr. Dixon,

Ordered, that said report be received and agreed to.

On motion of Mr. Vannorman,

Ordered, that said bill be engrossed and made the order of the day for a third reading on Monday next.

Mr. Richardson presented the petition of James Reid, tax collector for the county of Wilkinson, praying the passage of an act granting him an extension of time to settle his accounts as tax collector of said county.

On motion of Mr. Richardson,

Ordered, that said petition be referred to a select committee of three members, with leave to report by bill or otherwise;

And in pursuance thereto,

Messrs. Richardson, Boyd and Vannorman, were appointed.

The House, according to the order of the day resolved itself into a committee of the whole on the bill to be entitled

An act to incorporate Big Black Bridge and Turnpike Road Company; Mr. McRae in the chair,

And after some time spent therein,

The Speaker resumed the chair; when

Mr. McRae reported, that the committee of the whole House had, accord-

ing to order, had said bill under consideration, and had instructed him to report the same without amendment.

On motion of McRae,

Ordered, that said report be received and agreed to.

On motion of Mr. Bingaman,

The rule was dispensed with and said bill considered as engrossed, read a third time by its title and put upon its passage.

Whereupon,

Mr. Keegan moved, that the same be amended by way of rider as follows:

Add at the end of said bill the following section:

Sec. Nothing in this act shall be so construed as to confer on said corporation, Banking privilege.

Whereupon,

Said rider was read the first time.

On motion of Mr. Keegan,

The rule was dispensed with and said rider read the second time.

On motion of Mr. Keegan,

The rule was further dispensed with, said rider considered as engrossed, read a third time, and with the bill put upon its passage.

And the question being put, shall the bill and rider pass?

It was decided in the affirmative.

Ordered, that the title of said bill be as stated, and that the clerk carry the said bill to the Senate and request their concurrence therein.

The bill to be entitled

An act to grant a charter to Joel E. Carstarphen, for a bridge to be built over Big Black River from Hinds to Warren county,

Was in order for a committee of the whole House.

Mr. Bingaman moved, that said bill lie on the table.

And the question being taken thereon,

It was decided in the negative.

Mr. Tucker moved, that said bill be indefinitely postponed.

And the question being taken thereon,

It was decided in the negative.

Whereupon,

The House forthwith resolved itself into a committee of the whole on the said bill; Mr. Powell in the chair,

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Powell reported, that the committee of the whole House had, according to order, had said bill under consideration, had made an amendment thereto, and had instructed him to report the same as amended.

On motion of Mr. Powell,

Ordered, that said report be received.

Mr. Morrison moved, that the House disagree to said report.

And the question being taken thereon,

It was decided in the negative.

It was then moved by Mr. Bell, that said bill be amended by adding at the end of the second section, the words following to wit:

"Provided, however, that the board of county police shall have power to regulate from time to time the tolls at such rates as they may deem reasonable and proper."

And the question being taken thereon,

It was decided in the affirmative.

On motion of Mr. Morrison,

Ordered, that said bill be engrossed and made the order of the day for a third reading on Monday next.

And then the House adjourned.

Monday, February 25, 1833.

The House met pursuant to adjournment.

Mr. Harper from the select committee to whom was committed the bill from the Senate to be entitled

An act, to establish boards of police and define their powers and jurisdiction, and for other purposes—

Reported, that the committee had according to order, had said bill under consideration, had made sundry amendments thereto, and had instructed him to report the same as amended.

On motion of Mr. Harper,

Ordered, that said report be received.

Whereupon,

Said amendments were read; and on motion of Mr. Dunbar, concurred in by the House.

Mr. Dunbar moved that the said bill with the amendments thereto, be committed to a committee of the whole House, and made the order of the day for to-morrow.

And the question being taken thereon,

It was decided in the negative.

It was then moved by Mr. Vannorman, that said bill be committed to a committee of the whole House, and made the order of the day for two o'clock, P. M., on this day.

And the question being taken thereon,

It was decided in the negative.

The House then on motion of Mr. Keegan, proceeded forthwith in committee of the whole, to the consideration of said bill—Mr. Bole in the chair.

And after some time spent therein,

A message from the Governor was announced at the bar of the House by the door-keeper.

Whereupon,

The Speaker resumed the chair; when

The following written message was received from the Governor, by Mr. Allen, his private Secretary.

EXECUTIVE CHAMBER,
Jackson, February 25, 1833. }

Gentlemen of the Senate, and

House of Representatives—

I herewith send you copies of the report of a joint committee of the two Houses of the Legislature of the State of Massachusetts, and resolutions adopted by said Legislature, in regard to the tariff bill, now pending in the Congress of the United States, accompanied by a letter from the Governor of that State.—All of which is respectfully submitted for your consideration,

A. M. SCOTT.

The message and accompanying documents were read; and

On motion of Mr. Morrison,

Ordered to lie on the table.

The House then proceeded, again in committee of the whole, to the consideration of the said bill—Mr. Bole in the chair.

And after some further time spent therein,

A message from the Senate was announced at the bar of the House by the door-keeper.

Whereupon,

The Speaker resumed the chair; when

The following written message was received from the Senate, by Mr. Gilbert, their acting Secretary.

MR. SPEAKER:

The Senate have passed bills from the House of Representatives, with the following titles, to wit:

A bill to be entitled

An act, to provide for and prescribe the manner of filling vacancies in public offices; and

A bill to be entitled

An act, to amend an act, to regulate the taking of documentary testimony in certain cases, and for other purposes, approved 13th December, 1830.

And then he withdrew.

When the House resumed in committee of the whole, the consideration of the said bill—Mr. Bole again in the chair.

And after some further time spent therein,

A message from the Senate was announced at the bar of the House by the door-keeper.

Whereupon,

The Speaker resumed the chair; when

The following message was received from the Senate, by Mr. Gilbert, their acting Secretary.

MR. SPEAKER:

The President of the Senate has this day signed

An act to incorporate the officers and members of Raymond Lodge, No. 21, in the town of Raymond in Hinds county.

An act for the incorporation of the town of Grand Gulf, in the county of Claiborne.

An act for the relief of Charles Holland and John R. Little.

An act to provide for the erection of a State House and other public buildings, in the town of Jackson, and for the sale of public lots in said town, and for other purposes; and

A resolution relative to the cross mail, from Burnt Corn to Natchez; which four bills and resolution originated in this House.

And then he withdrew.

When the House resumed, in committee of the whole, the consideration of the said bill—Mr. Bole again in the chair.

And after some time spent therein,

A message from the Governor was announced at the bar of the House, by the door keeper.

Whereupon,

The Speaker resumed the chair; when

The following message was received from the Governor, by Mr. Allen, his private secretary:

MR. SPEAKER:

I am directed by the Governor to inform this House that he has this day approved and signed bills with the following titles, to wit:

An act to define and establish the boundary line between the counties of Jackson and Hancock.

An act to define certain duties of the Governor, and to establish his salary.

An act to unite the office of Assessor and Collector for Copiah.

An act to compel the Clerks and Registers of Jackson county, to keep their offices at the Court House of said county.

An act to amend an act entitled "An act, to incorporate the town of Raymond in the county of Hinds, approved December 15th, 1830.

An act to authorize the board of county police of Jackson county, to levy a special tax.

All of which originated in the House of Representatives.

And then he withdrew.

When the House resumed, in committee of the whole, the consideration of the said bill—Mr. Bole again in the chair;

And after some further time spent therein,

The Speaker resumed the chair; when

Mr. Bole reported, that the committee of the whole House had, ac-

according to order, had said bill under consideration, had made some progress therein, but not having come to any determination thereon, had instructed him to ask leave to sit again, at two o'clock. P. M., on this day.

On motion of Mr. Bole,

Ordered, that said report be received.

And then the House adjourned 'till 2 o'clock, P. M.

2 O'CLOCK, P. M.

The House met pursuant to adjournment.

Mr. Bell asked and obtained leave to introduce a bill to be entitled

An act to authorize the drawing of a lottery, for the purpose of improving the navigation of the Tombigby and Buttehatchee rivers, in Monroe and Lowndes counties—

Which was read the first time.

On motion of Mr. Keegan,

The rule was dispensed with, and said bill read the second time by its title.

On motion of Mr. Bell, the rule was further dispensed with, said bill considered as engrossed, read the third time, and put upon its passage.

And the question being put, shall the bill pass?

It was decided in the affirmative.

Ordered, that the title of said bill be as stated, and that the clerk carry the said bill to the Senate, and request their concurrence therein.

Mr. Shurtleff, by leave of the House, introduced a resolution in relation to the laws of the present session of the Legislature—

Which was read the first time.

Mr. Harper moved that said resolution be rejected.

After debate—

The previous question was called for by Mr. Dixon, and being demanded by a majority of the members present,

The said previous question was then put, viz :

Shall the main question be now put?

And decided in the affirmative.

The said main question was then put, viz :

Shall the said resolution be rejected?

And decided in the affirmative.

The House, according to the order of the day, resolved itself into a committee of the whole, on the bill from the Senate to be entitled

An act to establish boards of police, and define their powers and jurisdiction, and for other purposes—Mr. Bole again in the chair.

And after some time spent therein,

A message from the Senate was announced at the bar of the House, by the door-keeper.

Whereupon,

The Speaker resumed the chair; when

The following message was received from the Senate, by Mr. Gilbert, their acting Secretary:

MR. SPEAKER:

The Senate have this day passed a bill to be entitled
An act to establish "the Agricultural Bank of Mississippi;" and a bill to be entitled

An act to provide for a contingent fund for the Executive Department.
Which two bills originated in this House.

The Senate have also passed a bill to be entitled
An act to restrain idle and disorderly persons, which latter bill originated in that body, and in which I am instructed to ask the concurrence of this House.

And then he withdrew.

When the House resumed in committee of the whole, the consideration of the said bill; Mr. Bole again in the chair,

And after some further time spent therein,

The Speaker resumed the chair, when

Mr. Bole reported, that the committee of the whole House had, according to order, had the said bill under consideration, had made sundry amendments thereto, and had instructed him to report the same as amended.

On motion of Mr. Bole,

Ordered, that said report be received.

The first of said amendments being read, was concurred in by the House.

Whereupon,

On motion of Mr. Harper,

It was ordered, that the House concur in the 3d, 4th, 6th, 7th, 8th and 9th of said amendments.

The second amendment proposing an allowance of four dollars per day to the members of the board of county police, was then read and concurred in by the House.

YEAS 15—NAYS 14.

The yeas and nays being demanded by three of the members present:

Those who voted in the affirmative are—

Messrs. Speaker, Beasley, Bingaman, Bole, Boyd, Demoss, Dunbar, Howard, Learned, McRae, Morrison, Tucker, Vance, Vick, Vannerson—15.

Those who voted in the negative are—

Messrs. Allen, Bell, Brewer, Carter, Dixon, Ellis, Harper, Keegan, Martin, McDonald, Powell, Ragan, Shurtleff, Vannorman—14.

The 5th amendment proposing to allow the clerks of the board of county police the sum of three dollars per day being read, a motion was made by Mr. Tucker that the same be disagreed to by the House.

And the question being taken thereon,

It was decided in the negative.

Mr. Howard moved, that the vote taken on the amendment proposing to allow the members of the board of county police the sum of four dollars per day, be re-considered.

And the question being taken thereon,

It was decided in the affirmative.

Whereupon,

It was moved by Mr. Bingaman, that the same be amended as follows:

Strike out the word "four" and insert in lieu thereof the word "three."

And the question being taken thereon,

It was decided in the affirmative.

The question was then taken on the re-adoption of said amendment, as amended,

And decided in the affirmative.

Mr. Howard moved to amend said bill as follows:

Sec. — And every non-resident land holder shall cause one days' work to be done on the roads for every dollar's worth of State and county tax he may be liable to pay; and in case he does not pay or cause to be paid such road tax, his personal or real property may be sold therefor, in the same manner as the same would be liable to be sold for in the State tax.

Mr. Harper moved to reject said amendment.

After debate—

The previous question was called for by Mr. Harper, and being demanded by a majority of the members present,

The said previous question was then put, viz:

Shall the main question be now put?

And decided in the affirmative.

The said main question was then put, viz:

Shall the amendment be rejected?

And decided in the affirmative.

Mr. Boyd moved to amend said bill as follows:

Section 41. After the word "appeal" insert the words "by bill of exceptions or certiorari," and after the word "succeeding" insert the word "regular."

And the question being taken thereon,

It was decided in the affirmative.

Mr. Bell moved to amend said bill by adding at the end thereof, the following additional section:

Section — The jury of review before they enter upon the duties assigned them, shall take the following oath or affirmation, to be administered by the Sheriff of the county or his deputy: You and each of you do solemnly swear, that you will lay out the road now directed to be laid out by the board of county police, to the greatest advantage to the inhabitants, and with as little prejudice as may be to enclosures, without favour or affection, malice or hatred, to the best of your skill and knowledge. So help you God.

And the question being taken thereon,

It was decided in the affirmative.

Mr. Keegan moved to amend said bill as follows:

7th line, 7th Section, strike out the word "two" and insert the word "three."

And the question being taken thereon,

It was decided in the negative.

On motion of Mr. Carter,

Ordered, that the said amendments be engrossed, and that the said bill as amended, be made the order of the day for a third reading on to-morrow.

Mr. Boyd from the joint committee on enrolled bills, made the following report:

MR. SPEAKER:

The joint committee on enrolled bills, have examined bills of the following titles, viz:

An act to establish and organize the High Court of Errors and Appeals, and to define the powers and jurisdiction thereof.

An act to authorize the Trustees of the School Lands within each township in this State, to lease the sixteenth sections within the same for ninety-nine years, and for other purposes.

A memorial to the Senate and House of Representatives of the Congress of the United States of America in Congress assembled, to locate the Federal District Court at the town of Jackson, in the county of Hinds; and

An act for the relief of Samuel T. Scott, and have found the same correctly enrolled.

The Speaker has signed said bills.

Ordered, that the clerk carry them to the Senate, for the signature of the President thereof.

By leave of the House, Mr. Tucker submitted the following resolution, Which was read the first time.

Whereas, intelligence has just been received of the injudicious, illiberal and violent opposition presented by the Honorable George Poindexter, one of the Senators of the State of Mississippi, in the Congress of the United States, to the bill recently reported by the judiciary committee of that body, commonly called Wilkins' bill. Therefore,

Be it resolved by the Legislature of the State of Mississippi, That the existing state of our national affairs is deemed eminently difficult and perilous, and that the measures proposed by the bill aforesaid, are considered essential to the preservation of the Federal Union, without the adoption of which it may and probably will become utterly impracticable to secure the faithful execution of the laws of the Federal Government, the obstruction of which by military force has been already seriously threatened by one of the States of this confederacy.

And be it further resolved, That the allegation which has been brought by our Senator aforesaid against said bill, that it is intended and

calculated to establish a military despotism, and to invest the President of the United States with dictatorial authority, is altogether gratuitous and undeserved, and that the bill was designed by its framers, if permitted to become a law, to operate mainly as a pacific remedy, and as such seems admirably fitted to restore and perpetuate the relations of quiet and amity between the different sections of our republic, and to prevent that greatest of all evils, the effusion of blood in civil strife.

And be it further resolved, That the speech of our Senator aforesaid, so far as it gives sanction (as it evidently does) to the dangerous and absurd doctrines of *Nullification* and *secession* is deemed worthy of the strongest reprobation, as being notoriously repugnant to the feelings and opinions of the people of this State.

Mr. Bingaman made following report—

MR. SPEAKER:

The committee to which was referred the communication of the Executive, transmitting to this House a resolution of the Senate and House of Representatives of the State of Georgia, "making application to the Congress of the United States, in conformity with the fifth article of the Federal Constitution, for the call of a convention of the people to amend the constitution aforesaid, in the particulars therein enumerated, and in such others as the people of the other States deem needful of amendment, beg leave to report:

That deeply impressed with the momentous importance of the subject referred to them, they have bestowed on it their most deliberate consideration. They are proud to avow the sincere and sacred reverence, which they, in common with a vast majority of their fellow citizens entertain for the federal constitution, the great charter of our national liberties, our independence and union. Framed as it was originally, by a convention of the people of the United States, and sanctioned afterwards by the people of the respective States in their highest sovereign capacity, we should, it would seem, await the existence of the most urgent and palpable necessity of amendment ere we proceed to provide for any important alteration in a system of government presented to us under such imposing circumstances. But when to these circumstances is added the recollection of the great, the good, the pure and gifted statesmen by whom it was framed, the all embracing spirit of conciliation and patriotism in which it originated and by which it was perfected—the signal and glorious triumphs which under it have attended the eagle of our star spangled banner on the land and on the deep—the high and wide spread national character which it has enabled us to attain—the unexampled rapidity of our march under its fortunate auspices to national glory, power, prosperity and happiness—the marked and all pervading influence which it has exerted in liberalizing the forms of government throughout the civilized world, by conferring on mankind a knowledge of their rights and a determination and courage to maintain and defend them. When to all these glorious results it is added that the paternal voice of Him who was first in war, first in peace, and still

is first in the hearts of his countrymen, employed its latest accents in inculcating a deep and solemn veneration for this Constitution and the Union.

Your committee would do injustice to their feelings were they to suppress the avowal that they seem to themselves to be treading upon holy ground; and that nothing short of the most palpable necessity could induce them to recommend the adoption of any measures which, however well designed, might ultimately endanger the existence or mar the symmetry and beauty of this most perfect monument of uninspired wisdom.

Granting, however, that the necessity exists, which your committee do not believe, the turbulent spirit of the times & the numberless sectional influences, which under almost every variety of form and shape and intensity, pervade and agitate the great divisions of our country, would, in the opinion of your committee, render it imprudent to concur in the application contained in the resolution of the State of Georgia at the present critical period of our national affairs; while the citizens of the Union are subjected to those adverse influences, it would seem more than madness to expect that calm deliberation—that mutual spirit of concession and conciliation, that broad patriotism in which alone it originated, and which should inform, direct and animate the proceedings of any body of men who may be called together to alter or amend it. Under the constitution as it exists, we enjoy a freedom of laws, of order, of security and peace, and we enjoy it to an extent hitherto unexampled in the records of the world. *Freedom*, Americans always will possess. Her image is stamped so deeply upon our hearts, that like the form of Phidias on the shield of his Minerva, it can be obliterated by the annihilation alone of the substance on which it is impressed. But an unsuccessful attempt to render the constitution more congenial to the wishes of those States which are most anxious for its amendment—the angry warmth and excitement which would attend the struggle, and the malignant passions it would engender, might change this peaceful freedom, (which is our pride and boast), into a freedom of fraternal wars, of bloodshed and desolation.

If a convention were called for the purpose of defining with more precision those parts of the constitution which are considered indefinite, and prohibiting the exercise of those powers which being considered doubtful, have constituted the ground work of those violent party divisions which distract our country, your committee believe that it would be productive of results wholly foreign to the wishes of those who are most anxious for the call. A convention assembled at this time, they have every reason to believe would affirm those very powers which are so obnoxious to a majority of the citizens of the southern sections of the Union. The constitutionality of a tariff of protection has been affirmed by eighteen of the twenty four States; the larger States all being in favor of the affirmation. Now it should be recollected that the power of the smaller States is greater in Congress than it would be in a Convention of the States, called upon any plan of representation which we could reasonably expect.

would be adopted; under the most favorable circumstances the co-ordinate power held by us in the Senate would be merged in the mass of the popular representation of the larger States. For a redress of the grievances, therefore, which are assigned as the causes for the call, prudence would seem to dictate a reliance on the equity and patriotism of the national legislature, and more especially a reliance on the progressive influence, the intelligence and virtue of the people of the Union.

In accordance with these suggestions, your committee would recommend the adoption of the following resolution:

Be it resolved by the Legislature of the State of Mississippi, That this State does not concur in the resolution of the State of Georgia, "making application to the Congress of the United States for the call of a Convention of the people to amend the Federal Constitution in the particulars therein enumerated, and in such others as the people of the other States may deem needful of amendment."

Be it further resolved, That his Excellency the Governor be requested to transmit a copy of this resolution to the Executive of the State of Georgia, and of each of the other States of the Union.

On motion of Mr. Bingaman,

Ordered, that said report be received.

Whereupon,

The said resolutions were read the first time.

On motion of Mr. Vannorman,

The rule was dispensed with, and said resolutions read the second time.

On motion of Mr. Howard,

Ordered, that said resolutions, together with the report of the committee be committed to a committee of the whole House, and made the order of the day for to-morrow.

Mr. Howard called for the consideration of the Governor's Message, in relation to the resolutions from the State of Massachusetts.

After debate—

The previous question was called for by Mr. Dixon, and being demanded by a majority of the members present—

The said previous question was then put, viz:

Shall the main question be now put?

And decided in the affirmative.

The said main question was then put, viz:

Will the House sustain the said call?

And decided in the negative.

The bill from the Senate to be entitled

An act, to restrain idle and disorderly persons,

Was read the first time.

Mr. Vannorman moved that said bill be rejected.

After debate—

The previous question was called for by Mr. Harper, and being demanded by a majority of the members present—

The said previous question was then put, viz:

Shall the main question be now put?

And decided in the affirmative.

The said main question was then put, viz:

Shall the said bill be rejected?

And decided in the negative.

YEAS 7—NAYS 23.

The yeas and nays being called for by three of the members present:

Those who voted in the affirmative are—

Messrs. Dixon, Harper, Keegan, Shelby, Tucker, Vick, Vannorman—7.

Those who voted in the negative are—

Messrs. Speaker, Allen, Beasley, Beatie, Bell, Bingaman, Bole, Boyd, Brewer, Carter, Demoss, Dunbar, Ellis, Howard, Learned, Martin, McRae, McDonald, Morrison, Powell, Ragan, Shurtleff, Vannerson—23.

The House adjourned till half past 6 o'clock, P. M.

HALF PAST 6 O'CLOCK, P. M.

The House met pursuant to adjournment.

On motion of Mr. Bole,

The House proceeded in committee of the whole, to consider the bill to be entitled

An act, to provide for running and marking the line between the counties of Yazoo and Holmes, and for other purposes—Mr. Brewer in the chair.

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Brewer reported, that the committee of the whole House had, according to order, had said bill under consideration, had made an amendment thereto, and had instructed him to report the same as amended.

On motion of Mr. Brewer,

Ordered, that said report be received and agreed to.

On motion of Mr. Bole,

Ordered, that said bill be engrossed and made the order of the day for a third reading on to-morrow.

On motion of Mr. Tucker,

The House proceeded to consider the bill from the Senate, to be entitled

An act, to take the census of the State of Mississippi for the year 1833.

On motion of Mr. Tucker,

Ordered, that said bill be made the order of the day for to-morrow.

On motion of Mr. Harper,

The House proceeded to consider the bill to be entitled

An act, to provide for the election of certain officers therein named.

Mr. McDonald moved that the House forthwith resolved itself into a committee of the whole on said bill.

Mr. Keegan moved that said bill be committed to a committee of the whole House, and made the order of the day for to-morrow.

And the question being taken thereon,

It was decided in the affirmative.

On motion of Mr. Dixon,

The House proceeded to consider bills of a general nature.

The bill to be entitled

An act, concerning the Attorney General and District Attorneys, was read the third time and passed with its title as stated.

Ordered that the clerk carry said bill to the Senate, and request their concurrence therein.

The bill to be entitled

An act to amend the several acts now in force concerning the Militia of this State—

Was read the third time.

Mr. Keegan moved, that said bill be committed to a committee of the whole House, and made the order of the day for to-morrow;

And the question being taken thereon,

It was decided in the negative.

On motion of Mr. Tucker,

The House forthwith resolved itself into a committee of the whole on said bill—Mr. Morrison in the chair.

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Morrison reported, that the committee of the whole House had, according to order had said bill under consideration, had made sundry amendments thereto, and had instructed him to report the same as amended.

On motion of Mr. Morrison,

Said report was received; and

On motion of Mr. Ragan,

The same was agreed to.

Mr. Boyd moved to amend said bill as follows:

Strike out the sixth section.

And the question being taken thereon,

It was decided in the negative.

YEAS 11—NAYS 17.

The yeas and nays being called for by three of the members present.

Those who voted in the affirmative are—

Messrs. Allen, Bell, Boyd, Brewer, Carter, Ellis, Howard, Martin, McDonald, Powel, Tucker—11.

Those who voted in the negative are—

Messrs. Speaker, Beasley, Beatie, Bingaman, Bole, Dunbar, Harper, Keegan, Learned, Morrison, Pendleton, Ragan, Shelby, Shurtleff, Vick, Vannerson, Vannorman—17.

Mr. Brewer moved to amend said bill as follows:

Amend sixth section by inserting the words, to wit:

"That there shall not be any additional company musters established by this act in the counties of Hancock, Jackson, Jones, Perry, Rankin and Simpson.

And the question being taken thereon,

It was decided in the negative.

YEAS 8—NAYS 20.

The yeas and nays being demanded by three of the members present:

Those who voted in the affirmative are—

Messrs. Boyd, Brewer, Carter, Ellis, Howard, Morrison, Powell, Vick—8

Those who voted in the negative are—

Messrs. Speaker, Allen, Beasley, Beatie, Bell, Bingaman, Bole, Dunbar, Harper, Keegan, Learned, Martin, McDonald, Pendleton, Ragan, Shelby, Shurtleff, Tucker, Vannerson, Vannorman—20.

Mr. Boyd moved to amend said bill as follows:

Section — *Be it further enacted*, that members of the legislature and Justices of the Peace shall not hereafter be exempted from ordinary militia duties.

After debate—

The previous question was called for by Mr. Harper, and being demanded by a majority of the members present,

The said previous question was then put, viz:

Shall the main question be now put?

And decided in the affirmative.

The said main question was then put, viz:

Shall the said amendment be adopted?

And decided in the negative.

YEAS 12—NAYS—16.

The yeas and nays being demanded by three of the members present:

Those who voted in the affirmative are—

Messrs. Bell, Bole, Boyd, Brewer, Ellis, Howard, Learned, McDonald, Powell, Tucker, Vannerson, Vannorman—12.

Those who voted in the negative are—

Messrs. Speaker, Allen, Beasley, Beatie, Bingaman, Carter, Dunbar, Harper, Keegan, Martin, Morrison, Pendleton, Ragan, Shelby, Shurtleff, Vick—16.

On motion of Mr. Shurtleff,

Ordered, that said bill be engrossed and made the order of the day for to-morrow.

Mr. Bingaman moved that the House adjourn;

And the question being taken thereon,

It was decided in the negative.

The bill from the Senate to be entitled

An act to regulate elections in this State, was in order for a committee of the whole House.

On motion of Mr. Bingaman,

Ordered, that the order on said bill be postponed until to-morrow.

The resolution to revise and consolidate the laws now in force in this State, was in order for a committee of the whole House.

Mr. Tucker moved that the order on said resolution be postponed until to-morrow.

Mr. Howard moved that the House adjourn;

And the question being taken thereon,

It was decided in the negative.

The question was then taken on the motion made by Mr. Tucker to postpone the order on said resolution until to-morrow;

And decided in the affirmative.

The bill to be entitled

An act to carry into effect that part of the 4th article of the Constitution which provides for the establishment of a Court of Probates in the several counties of this State, was in order for a committee of the whole House.

On motion of Mr. Vannerson,

Ordered, that the order on said bill be postponed until to-morrow.

And then the House adjourned.

Tuesday, February 26, 1833.

The House met pursuant to adjournment—

Mr. Morrison presented the petition of Jane Collins and others, relatives of Timothy Terrill, deceased, praying the passage of an act emancipating certain slaves therein named.

On motion of Mr. Dixon,

Ordered, that said petition lie on the table.

Whereupon,

Mr. Morrison asked leave to withdraw said petition, but the House refused to grant such leave.

On motion of Mr. Dunbar,

Ordered, that Mr. Morrison have leave to withdraw the documents accompanying said petition.

Mr. Boyd, from the judiciary committee, to whom was committed the bill to be entitled

An act to reduce into one the several acts concerning the mode of election and jurisdiction of Justices of the Peace in this State, reported

That the committee had, according to order, had said bill under consideration and had instructed him to report the same without amendment.

On motion of Mr. Boyd,

Ordered, that said report be received.

Mr. Boyd moved, that said bill be committed to a committee of the whole House and made the order of the day for to-morrow.

Mr. Harper moved the indefinite postponement of said bill.

After debate,

The previous question was called for by Mr. McDonald, which was sustained by a majority of the members present.

YEAS 19—NAYS 8.

The yeas and nays being called for by three of the members present:

Those who voted in the affirmative are—

Messrs. Speaker, Allen, Beasley, Bingaman, Carter, Dunbar, Dixon, Ellis, Harper, Keegan, Martin, McRae, McDonald, Pendleton, Powell, Ragan, Shelby, Vance, Vick—19.

Those who voted in the negative are—

Messrs. Bell, Boyd, Demoss, Howard, Morrison, Tucker, Vannerson, Vannorman—8.

The said previous question was then put, viz:

Shall the main question be now put?

And decided in the affirmative.

The said main question was then put, viz:

Shall the said bill be indefinitely postponed?

And decided in the negative.

YEAS 11—NAYS 17.

The yeas and nays being called for by three of the members present:

Those who voted in the affirmative are—

Messrs. Allen, Bingaman, Carter, Ellis, Harper, Keegan, Martin, McDonald, Pendleton, Powell, Stockton—11.

Those who voted in the negative are—

Messrs. Speaker, Beasley, Bell, Boyd, Demoss, Dunbar, Dixon, Howard, McRae, Morrison, Ragan, Shelby, Tucker, Vance, Vick, Vannerson, Vannorman—17.

On motion of Mr. McDonald,

Ordered, that said bill lie on the table.

Mr. Boyd, from the select committee to whom was committed the bill to be entitled

An act to amend the several acts now in force incorporating and concerning the town of Woodville,

Reported, that the committee had, according to order, had said bill under consideration, had made sundry amendments thereto, and instructed him to report the same as amended.

On motion of Mr. Boyd,

Ordered, that said report be received.

Whereupon,

Said amendments were read and concurred in by the House.

On motion of Mr. Boyd,

Ordered, that said bill be re-engrossed and made the order of the day for a third reading on to-morrow.

Mr. Shurtleff, from the joint committee on enrolled bills, made the following report:

MR. SPEAKER:

The joint committee on enrolled bills have this day examined
 An act to amend an act entitled "an act to regulate the taking of documentary testimony in certain cases, and for other purposes, approved 13th December, 1830."

An act to provide for and prescribe the manner of filling vacancies in public offices.

An act to provide for a contingent fund of the Executive Department, and

An act to establish the Agricultural Bank of Mississippi.

And have found the same correctly enrolled.

The Speaker signed said bills.

Ordered, that the clerk carry them to the Senate, for the signature of the President thereof.

Mr. Vannerson presented the petition of Augustus Shefendenaum, a native citizen of France, praying the passage of

An act authorizing him to hold and convey real estate;

Which was read, and on motion of Mr. Harper,

Ordered to lie on the table.

Mr. Morrison asked and obtained leave to introduce a bill to be entitled

An act to amend an act entitled "an act to incorporate the town of Clinton, passed February 12th, 1830,"

Which was read the first time, and

On motion of Mr. Martin,

Ordered, to lie on the table.

Mr. Vannerson asked and obtained leave to introduce

A bill to be entitled

An act supplementary to an act further to amend an act entitled "an act to establish a Planter's Bank in the State of Mississippi, approved February 10th, 1830, and the acts supplemental thereto"—

Which was read the first time.

On motion of Mr. Bingaman,

The rule was dispensed with and said bill read a second time by its title.

On motion of Mr. Vannerson,

The rule was further dispensed with, said bill considered as engrossed, read a third time forthwith and put upon its passage.

And the question being put, shall the bill pass?

It was decided in the affirmative.

Ordered, that the title of said bill be as stated, and that the clerk carry the said bill to the Senate and request their concurrence therein.

The following written message was received from the Senate, by Mr. Gilbert, their acting Secretary.

MR. SPEAKER:

The Senate have rejected a bill to be entitled

An act to authorize the drawing of a Lottery for the purpose of improving the navigation of the Tombigby and Buttahatcha Rivers in Monroe and Lowndes counties.

Which bill originated in this House.

The Governor has notified the Senate that he did, on the 24th instant, approve and sign.

A resolution requiring the Secretary of State to transmit to the Attorney General a copy of the report of the committee of accounts.

An act to amend an act entitled

An act, for the division of a certain appropriation therein named.

An act to authorize John W. Thompson to erect and keep a toll bridge over the main Bayou Pierre; and

An act for the relief of the Mississippi College.

All of which originated in the Senate.

The Senate have this day passed a bill from this House to be entitled

An act, to incorporate the Big Black Bridge and Turnpike Road Company.

And then he withdrew.

The bill from the Senate to be entitled

An act, to establish boards of police, and define their powers and jurisdiction, and for other purposes, was read the third time and passed.

Mr. Harper moved to amend the title of said bill, by inserting after the word "of" in the first line, the word "county."

And the question being taken thereon;

It was decided in the affirmative.

The question was then taken on the title to said bill as amended.

And decided in the affirmative.

The bill to be entitled

An act, to amend the several acts now in force, concerning the militia of this State; was in order for its final passage.

After debate—

The previous question was called for by Mr. Bingaman; and being demanded by a majority of the members present—

The said previous question was then put, viz:

Shall the main question be now put?

And decided in the affirmative.

The said main question was then put, viz:

Shall the bill pass?

And decided in the affirmative.

Ordered, that the title of said bill be as stated, and that the clerk carry the said bill to the Senate, and request their concurrence therein.

The House according to the order of the day, resolved itself into a committee of the whole, on the report and resolutions in relation to the call of a General Convention—Mr. Dunbar in the chair.

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Dunbar reported, that the committee of the whole House had, according to order, had the said report and resolutions under consideration, and had instructed him to report the same without amendment.

On motion of Mr. Dunbar,

Ordered, that said report be received and agreed to.

Mr. Bell moved to amend said resolutions as follows.

After the word "not" insert the words "conceive it expedient at the present time to." And after the word "people" in the 5th line insert the words "of the States."

And the question being taken thereon,

It was decided in the affirmative.

Mr. Shurtleff, from the joint committee on enrolled bills, made the following report.

MR. SPEAKER:

The joint committee on enrolled bills, did on Saturday present to his Excellency the Governor, for his approbation and signature—

An act for the relief of the Mississippi College.

A resolution requiring the Secretary of State to transmit to the Attorney General, a copy of the report of the committee of accounts.

An act to authorise John W. Thompson, to erect; and keep a toll bridge over the main Bayou Pierre.

And on this day have presented a resolution relative to the cross mail from Barnt Corn to Natchez.

An act to provide for the erection of a State House and other public buildings, in the town of Jackson, and for the sale of public lots in said town, and for other purposes.

An act for the incorporation of the town of Grand Gulf, in the county of Claiborne.

An act for the relief of Charles Holland and John R. Little.

An act to incorporate the officers and members of Raymond Lodge, No. 21, in the town of Raymond, in Hinds county.

Mr. Howard moved further to amend said bill as follows.

After the word "Union," page third, insert the words "your committee however cannot forbear to express their opinion, that all tariff laws laid exclusively for protection are unconstitutional in as much as the power to enact such laws, is not given to the Congress of the United States by express grant in the Constitution of the United States, nor are such laws in the opinion of your committee in accordance with the spirit of said Constitution, the same being unjust, unequal in their operation, and oppressive on the Southern States."

A motion was then moved by Mr. Vannerson, that the House adjourn until 2 o'clock, P. M.

And the question being taken thereon,

It was decided in the negative.

The question then recurred on the amendment of Mr. Howard—

When a motion was made by Mr. Bell, that the House adjourn until 2 o'clock.

And the question being taken thereon,

It was decided in the negative.

The question still recurring on Mr. Howard's amendment—

The House on motion of Mr. Demoss, adjourned until 2 o'clock, P. M.

2 O'CLOCK, P. M.

The House met pursuant to adjournment.

Mr. Harper submitted the following resolution:

Resolved, with the concurrence of the Senate, the two Houses adjourn *sine die*, on Saturday the second day of March next.

Mr. Harper moved that the rule requiring joint resolutions to lie one day on the table be dispensed with, and that said resolution be read a second time forthwith for adoption.

After debate—

The previous question was called for by Mr. Harper, and being demanded by a majority of the members present:

The said previous question was then put, viz:

Shall the main question be now put?

And decided in the affirmative.

The said main question was then viz:

Shall the rule requiring joint resolutions to lie one day on the table be dispensed with, and said resolution be forthwith read and offered for adoption.

And the question being taken thereon,

It was decided in the affirmative.

YEAS 21—NAYS 8.

The yeas and nays being demanded by three of the members present:

Those who voted in the affirmative are—

Messrs. Speaker, Allen, Beasley, Bingaman, Bole, Carter, Demoss, Dunbar, Ellis, Harper, Keegan, Martin, McRae, McDonald, Morrison, Powell, Ragan, Shelby, Shurtleff, Vick, Vannorman—21.

Those who voted in the negative are—

Messrs. Beatie, Bell, Boyd, Brewer, Howard, Learned, Tucker, Vannerson—8.

Mr. Tucker moved that said resolution lie on the table.

And the question being taken thereon,

It was decided in the negative.

YEAS 10—NAYS 21.

The yeas and nays being called for by three of the members present:

Those who voted in the affirmative are—

Messrs. Beatie, Bell, Boyd, Brewer, Demoss, Howard, Learned, Morrison, Tucker, Vannerson—10.

Those who voted in the negative are—

Messrs. Speaker, Allen, Beasley, Bingaman, Bole, Carter, Dunbar, Ellis, Harper, Keegan, Martin, McRae, McDonald, Pendleton, Powell, Ragan, Shelby, Shurtleff, Vance, Vick, Vannorman—21.

The question was then taken on the adoption of said resolution,
And decided in the affirmative.

YEAS 24—NAYS 8.

The yeas and nays being called for by three of the members present:

Those who voted in the affirmative are—

Messrs. Speaker, Allen, Beasley, Bingaman, Bole, Carter, Demoss,
Dunbar, Ellis, Howard, Keegan, Martin, McRae, McDonald, Pendleton,
Powell, Ragan, Richardson, Shelby, Shurtleff, Vance, Vick, Vannorman
—24.

Those who voted in the negative are—

Messrs. Beatie, Bell, Boyd, Brewer, Learned, Morrison, Tucker, Van-
nerson—8.

So the resolution was adopted.

Ordered, that the clerk acquaint the Senate therewith and request their
concurrence therein.

Mr. Richardson, from the select committee to whom was referred the
petition of James Reed, tax collector for the county of Wilkinson praying
the passage of

An act granting him an extension of time to settle his accounts as tax
collector for said county,

Reported, that the committee had, according to order, had said petition
under consideration and had instructed him to report a bill to be entitled

An act for the relief of James Reed, tax collector of Wilkinson county,

On motion of Mr. Richardson,

Ordered, that said report be received.

Whereupon,

Said bill was read the first time.

On motion of Mr. Boyd,

The rule was dispensed with and said bill read the second time.

On motion of Mr. Demoss,

The rule was further dispensed with, said bill considered as engrossed,
read a third time and put upon its passage.

And the question being put, shall the bill pass?

It was decided in the affirmative.

Ordered, that the title of said bill be as stated, and that the clerk carry
the said bill to the Senate and request their concurrence therein.

Mr. Morrison asked and obtained leave to introduce a bill to be entitled

An act to regulate the amount of the bond hereafter required to be given
by the Sheriffs hereafter to be elected in Hinds county;

Which was read the first time.

On motion of Mr. Morrison,

The rule was dispensed with and said bill read the second time.

On motion of Mr. Morrison,

The rule was further dispensed with, said bill considered as engrossed,
read a third time forthwith, and put upon its passage.

And the question being put, shall the bill pass?

It was decided in the affirmative.

Ordered, that the title of said bill be as stated, and that the clerk carry the said bill to the Senate, and request their concurrence therein.

The House then proceeded to the consideration of the amendment proposed by Mr. Howard to the report and resolutions in relation to a general convention.

On motion of Mr. Pendleton,

The House proceeded to consider the resolution in relation to the election of a door-keeper.

Whereupon,

On motion of Mr. Vannerson,

It was ordered, that the same be rejected.

The question then recurred on Mr. Howard's amendment.

Whereupon,

Mr. Tucker moved that the same be amended as follows:

After the word "protection," insert the words "except for munitions of war necessary for defence in time of war, and where such tariff is uniform throughout the United States."

After debate—

The previous question was called for by Mr. Bingaman, and being demanded by a majority of the members present:

The said previous question was then put, viz:

Shall the main question be now put?

And decided in the affirmative.

The said main question was then put, viz:

Shall the amendment to the said amendment be adopted?

It was then moved by Mr. Pendleton, that there be a call of the House.

And the question being taken thereon,

It was decided in the negative.

The question was then taken on the said amendment to the amendment—

And decided in the affirmative.

YEAS 19—NAYS 9.

The yeas and nays being called for by three of the members present:

Those who voted in the affirmative are—

Messrs. Allen, Beasley, Beatie, Bell, Bingaman, Bole, Carter, Demoss, Dunbar, Ellis, Martin, McDonald, Morrison, Ragan, Shelby, Shurtleff, Tucker, Vance, Vannerson—19.

Those who voted in the negative are—

Messrs. Speaker, Brewer, Harper, Howard, McRae, Pendleton, Powell, Richardson, Vick—9.

So the amendment to the amendment was adopted.

A message was then received from the Governor, by Mr. Allen, his private Secretary.

Which was read, and is as follows:

MR. SPEAKER:

I am directed by the Governor to deliver to this House, a communication in writing, and also, to inform them that he has this day approved, and signed bills of the following titles, to wit:

An act for the incorporation of the town of Grand Gulf, in the county of Claiborne.

An act for the relief of Charles Holland and John R. Little.

An act to incorporate the officers and members of Raymond Lodge, No. 21, in the town of Raymond, in Hinds county.

An act to provide for the erection of a State House and other public buildings in the town of Jackson, and for the sale of public lots in said town, and for other purposes; and

An act for the relief of Peter Ladnier, and others.

All of which bills originated in this House.

And then he withdrew.

When the question recurred on Mr. Howard's amendment as amended:

After debate—

The previous question was called for by Mr. Bingaman, and being demanded by a majority of the members present—

The said previous question was then put, viz:

Shall the main question be now put?

And decided in the affirmative.

The said main question was then put, viz:

Shall the said amendment be adopted?

It was then moved by Mr. Pendleton, that there be a call of the House:

And the question being taken thereon;

It was decided in the negative.

The question was then taken on the adoption of the said amendment;

And decided in the negative.

YEAS 15—NAYS 16.

The yeas and nays being called for by three of the members present:

Those who voted in the affirmative are—

Messrs. Speaker, Bell, Bole, Brewer, Ellis, Harper, Howard, Keegan, McRae, Pendleton, Powell, Richardson, Tucker, Vick, Vannorman—15.

Those who voted in the negative are—

Messrs. Allen, Beasley, Beatie, Bingaman, Carter, Demoss, Dunbar, Learned, Martin, McDonald, Morrison, Ragan, Shelby, Shurtleff, Vance, Vannerson—16.

Mr. Bell moved to amend said report as follows:

Amend by inserting at the end of the second paragraph, and by striking out the words "granting that the necessity exists which your committee do not believe," and insert at the first part of the third paragraph the following: "your committee however cannot refrain from expressing that they believe that a wild and latitudinarian construction has been placed upon the Constitution of the United States, by many in our government, and which they believe to be well calculated by the exercise of

such unlimited construction to be productive of discontent, sectional injustice, and even oppression itself, your committee believe that the Congress of the United States have no right to exercise any powers, other than those which are expressly delegated, and those incidental powers which arise under that express grant, and would gladly see those ambiguities which are contained in that instrument, which has been justly styled the "Charter of the liberties of the American people" at the proper time so amended, as to set at rest those disputed powers which have agitated our happy government for a series of years.

But after debate—

The previous question was called for by Mr. Bole, and being demanded by a majority of the members present:

The said previous question was then put, viz:

Shall the main question be now put?

And decided in the affirmative.

The said main question was then put, viz:

Shall the said amendment be adopted?

And decided in the affirmative.

YEAS 16—NAYS—15.

The yeas and nays being demanded by three of the members present:

Those who voted in the affirmative are—

Messrs. Speaker, Bell, Bole, Brewer, Carter, Ellis, Howard, Keegan, Martin, Pendleton, Richardson, Shurtleff, Tucker, Vick, Vannerson, Vannorman—16.

Those who voted in the negative are—

Messrs. Beasley, Beatie, Bingaman, Boyd, Demoss, Dixon, Dunbar, Learned, Martin, McDonald, Morrison, Ragan, Shelby, Vance—14.

On motion of Mr. Beatie,

Ordered, that the said report and resolutions be engrossed and made the order of the day for a third reading on to-morrow.

Mr. McDonald moved that one thousand copies of said report be printed;

And the question being taken thereon,

It was decided in the negative.

Mr. Howard moved that the clerk have five hundred copies printed;

And the question being taken thereon,

It was decided in the negative.

It was then moved by Mr. Vannerson, that the clerk have sixty copies of the said report printed;

And the question being taken thereon,

It was decided in the negative.

The House according to the order of the day, resumed in committee of the whole, the consideration of the bill from the Senate, to be entitled

An act, to take the census of the State of Mississippi, for the year 1853—Mr. Lammell in the chair.

And if some time spent in the

The Speaker resumed the chair; when

Mr. Learned reported, that the committee of the whole House had, according to order, had said bill under consideration, had made an amendment thereto, and had instructed him to report the same as amended.

On motion of Mr. Learned,

Ordered, that said report be received and agreed to.

Mr. Tucker moved that said bill be indefinitely postponed:

And the question being taken thereon,

It was decided in the negative.

YEAS 6—NAYS 25.

The yeas and nays being demanded by three of the members present:

Those who voted in the affirmative are—

Messrs. Bell, Bole, Dixon, Shelby, Tucker, Vance—6.

Those who voted in the negative are—

Messrs. Speaker, Allen, Beasley, Beatie, Bingaman, Boyd, Brewer, Carter, Dunbar, Ellis, Harper, Howard, Keegan, Learned, Martin, McRae, McDonald, Morrison, Fendleton, Powell, Richardson, Shurtleff, Vick, Vannerson, Vannorman—25.

On motion of Mr. Keegan,

The said amendment was considered as engrossed, and the said bill as amended, read the third time and put upon its passage.

And the question being put, shall the bill pass?

It was decided in the affirmative.

Ordered, that the title of said bill be as stated, and that the clerk carry the said bill to the Senate, notify them that the same has passed this House, and request their concurrence in the said amendment.

The House according to the order of the day, resolved itself into a committee of the whole on the bill to be entitled

An act to provide for the election of certain officers therein named; Mr. Howard in the chair.

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Howard reported, that the committee of the whole House had, according to order, had said bill under consideration, had made sundry amendments thereto, and had instructed him to report the same as amended.

On motion of Mr. Howard,

Ordered, that said report be received and agreed to.

On motion of Mr. Learned,

Ordered, that said bill be engrossed and made the order of the day for a third reading on to-morrow.

And then the House adjourned 'till half past six o'clock, P. M.

HALF PAST 6 O'CLOCK, P. M.

The House met pursuant to adjournment—

And on motion of Mr. Bole, proceeded to consider the engrossed bill to be entitled

An act to provide for running and marking the line between the counties of Yazoo and Holmes, and for other purposes.

Whereupon,

Said bill was read the third time and passed with its title as stated.

Ordered, that the clerk carry said bill to the Senate and request their concurrence therein.

Mr. Morrison presented the claim of A. M. B. Thompson for the apprehension of J. W. Boyd, charged with the crime of murder.

On motion of Mr. Morrison,

Ordered that said claim be referred to the committee of claims.

The bill to be entitled

An act to divide Lowndes county, and define the boundaries thereof, and to lay off and define the boundaries of new counties, and for other purposes—

Was in order for a third reading.

On motion of Mr. Tucker,

The House forthwith resolved itself into a committee of the whole on said bill—Mr. Powell in the chair.

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Powell reported, that the committee of the whole had, according to order, had said bill under consideration, had made an amendment thereto, and had instructed him to report the same as amended.

On motion of Mr. Powell,

Said report was received; and

On motion of Mr. Bole,

The same was agreed to.

On motion of Mr. Howard,

Said bill was considered as engrossed, read a third time by its title and put upon its passage.

And the question being put, shall the bill pass?

It was decided in the affirmative.

YEAS 16—NAYS 12.

The yeas and nays being demanded by three of the members present:

Those who voted in the affirmative are—

Messrs. Beatie, Bell, Bole, Boyd, Dixon, Ellis, Howard, Learned, McRae, Morrison, Ragan, Shelby, Shurleff, Tucker, Vance, Vannorman—16.

Those who voted in the negative are—

Messrs. Speaker, Beasley, Bingaman, Brewer, Carter, Dunbar, Keegan, Martin, McDonald, Powell, Vick, Vannerson—12.

Ordered, that the title of said bill be as stated, and that the clerk carry the said bill to the Senate and request their concurrence therein.

The engrossed bill to be entitled

An act to extend the powers and privileges of the West Feliciana Rail Road Company, within this State, and for other purposes—

Was read the third time.

Mr. Boyd moved, that said bill be amended by way of rider, by adding at the end thereof, the following additional section:

Section — *Be it further enacted*, That the legislature may levy and collect from said Bank a State tax not to exceed one-fourth per cent. on the amount of the capital, but it shall not be liable to pay any county or corporation, or other additional tax.

Whereupon,

Said rider was read the first time.

On motion of Mr. Boyd,

The rule was dispensed with, and said rider read the second time.

On motion of Mr. Boyd,

The rule was further dispensed with, said rider considered as engrossed, read a third time forthwith, and together with the bill put upon its passage.

And the question being put, shall the bill pass?

It was decided in the affirmative.

YEAS 19—NAYS 9.

The yeas and nays being called for by three of the members present:

Those who voted in the affirmative are—

Messrs. Speaker, Beasley, Beatie, Bell, Bole, Boyd, Carter, Dunbar, Dixon, Howard, Martin, McRae, Morrison, Richardson, Shelby, Tucker, Vance, Vannerson, Vannorman—19.

Those who voted in the negative are—

Messrs. Bingaman, Brewer, Ellis, Keegan, Learned, Powell, Ragan, Shurtleff, Vick—9.

Ordered, that the title of said bill be as stated, and that the clerk carry the said bill to the Senate, and request their concurrence therein.

Mr. Ellis moved, that the House adjourn;

And the question being taken thereon,

It was decided in the negative.

The bill to be entitled

An act to grant a charter to Joel E. Carstarphen, for a bridge to be built over Big Black River, from Hinds to Warren county, was in order for a third reading.

On motion of Mr. Morrison,

The House forthwith resolved itself into a committee of the whole on said bill; Mr. Bole in the chair,

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Bole reported, that the committee of the whole House had, according to order had said bill under consideration, had made sundry amendments thereto, and had instructed him to report the same as amended.

On motion of Mr. Bole,

Ordered, that said report be received and agreed to.

Mr. Morrison moved, that said bill be considered as re-engrossed, read a third time forthwith and put upon its passage.

After debate—

The previous question was called for by Mr. Vannorman, and being demanded by a majority of the members present:

The said previous question was then put, viz:

Shall the main question be now put?

And decided in the affirmative.

The said main question was then put, viz:

Shall the bill be considered as re-engrossed and read a third time forthwith?

And decided in the affirmative.

Whereupon,

Said bill was read third the time and passed with its title as stated.

Ordered, that the clerk acquaint the Senate therewith and request their concurrence therein.

Mr. Howard moved that the House adjourn;

And the question being taken thereon,

It was decided in the negative.

The House, according to the order of the day, resolved itself into a committee of the whole, on the bill from the Senate to be entitled

An act for the relief of William A. Woods; Mr. Howard in the chair,

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Howard reported, that the committee of the whole House had, according to order, had said bill under consideration and had instructed him to report the same without amendment.

On motion of Mr. Howard,

Ordered, that said report be received and agreed to.

On motion of Mr. Vick,

Said bill was read a third time and put upon its passage.

And the question being put shall the bill pass?

It was decided in the affirmative.

Ordered, that the title of said bill be as stated.

Mr. Keegan moved that the House adjourn;

And the question being taken thereon,

It was decided in the negative.

On motion of Mr. Morrison,

The House proceeded to consider the bill to be entitled

An act to amend an act entitled "an act to incorporate the town of Clinton, passed February 12th. 1830."

Whereupon,

On motion of Mr. Morrison,

Ordered, that said bill be made the order of the day for a second reading on to-morrow.

According to the order of the day the House resolved itself into a committee of the whole on the bill to be entitled

An act to regulate the mode of assessing and collecting land taxes in the counties therein named; Mr. Vannerson in the chair,

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Vannerson reported, that the committee of the whole House had, according to order, had said bill under consideration, had made an amendment thereto and had instructed him to report the same as amended.

On motion of Mr. Vannerson,

Ordered, that said report be received and agreed to.

On motion of Mr. Keegan,

Ordered, that said bill lie on the table.

The bill to be entitled

An act to extend the legal process of the county of Rankin to certain parts of the Choctaw purchase lying adjacent thereto, and for other purposes;

Was read the second time.

On motion of Mr. Shurtleff,

Ordered, that the further consideration of said bill be postponed until the third Monday of November next.

On motion of Mr. Learned,

The vote taken on said order was reconsidered.

The question was then taken on the motion made by Mr. Shurtleff, to postpone the further consideration of said bill until the third Monday of November next,

And decided in the negative.

Whereupon,

On motion of Mr. Howard,

Ordered, that said bill be committed to a committee of the whole and made the order of the day for to-morrow.

The bill from the Senate to be entitled

An act to authorize Rebecca Lott to sell a certain slave therein named,

Was read the second time.

On motion of Mr. Tucker,

Ordered, that said bill be indefinitely postponed.

The bill from the Senate, to be entitled

An act to provide for the erection of levees in the county of Washington, was in order for a second reading.

On motion of Mr. Bingham,

The rule was dispensed with, and said bill read a second time by its title.

On motion of Mr. Vannorman,

Ordered, that said bill be made the order of the day for a third reading on to-morrow.

And then the House adjourned.

Wednesday, February 27, 1833.

The House met pursuant to adjournment.

Mr. Morrison presented the petition of Lewis Whitesides, praying an appropriation for the distribution of the Journals of the Convention, and Revised Constitution of the State.

On motion of Mr. Morrison,

Ordered, that said petition be referred to the committee on claims.

The House proceeded to the consideration of the message received from the Governor on yesterday, in relation to certain resolutions adopted by the Legislature of the State of Delaware, on the subject of calling a Convention of the States.

On motion of Mr. Tucker,

Ordered, that said message together with the accompanying documents lie on the table.

Mr. Vannerson presented the petition of Willis A. Farris, assistant Secretary to the late Convention, praying relief from the operation of a resolution instructing the Attorney General to institute suits against the members and officers of the late Convention, who received extra pay.

Mr. Harper moved that said petition be rejected.

After debate—

The previous question was called for by Mr. Powell, and being demanded by a majority of the members present:

The said previous question was then put, viz:

Shall the main question be now put?

And decided in the affirmative.

The said main question was then put, viz:

Shall the said petition be rejected?

And decided in the affirmative.

Mr. Shurtleff, from the committee on enrolled bills, made the following report.

MR. SPEAKER:

The joint committee on enrolled bills, did on yesterday present to his Excellency the Governor, for his approbation and signature, bills of the following titles, to wit:

An act to establish the Agricultural Bank of Mississippi.

An act to amend an act entitled "An act, to regulate the taking of documentary testimony in certain cases, and for other purposes, approved 13th of December 1830."

A memorial to the Senate and House of Representatives of the Congress of the United States of America in Congress assembled, to locate the Federal Court at the town of Jackson, in the county of Hinds.

An act to establish and organize the High Court of Errors and Appeals, and to define their powers and jurisdiction thereof.

An act to authorize the Trustees of the School Lands within each

township in this State, to lease the sixteenth sections within the same for ninety-nine years, and for other purposes.

An act to provide for a Contingent Fund of the executive department.

An act to provide for, and prescribe the manner of filling vacancies in public offices; and

An act for the relief of Samuel T. Scott.

On motion of Mr. Tucker,

Mr. Boyd was excused from further attendance on the committee on enrolled bills.

Mr. Morrison asked and obtained leave to introduce a bill to be entitled

An act to put in force an act, to provide for the erection of a State House and other public buildings in the town of Jackson, and for the sale of public lots in said town, and for other purposes; and to donate a town lot to the Planters Bank—

Which was read the first time.

On motion of Mr. Morrison,

The rule was dispensed with, and said bill read the second time.

Whereupon,

On motion of Mr. Morrison,

The House forthwith resolved itself into a committee of the whole on said bill—Mr. Vance in chair.

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Vance reported, that the committee of the whole House had, according to order, had said bill under consideration, had made an amendment thereto, and had instructed him to report the same as amended.

On motion of Mr. Vance,

Ordered, that said report be received and agreed to.

On motion of Tucker,

The rule was dispensed with, said bill considered as engrossed, read a third time forthwith and put upon its passage.

And the question being put, shall the bill pass?

It was decided in the affirmative.

Mr. Vannerson moved to amend the title of said bill as follows:

Strike out after the word "act," where it first occurs in said title, and insert "to carry into effect and put in force an act therein named."

And the question being taken thereon,

It was decided in the affirmative.

The question was then taken on the title of said bill as amended,

And decided in the affirmative.

Ordered, that the clerk carry the said bill to the Senate and request their concurrence therein.

Mr. Bell, from the committee on claims, made the following report:

MR. SPEAKER:

The joint committee on claims to whom was referred the petition and accounts of Horace Gridly, have examined the same, and have instructed

me to report, that they think vouchers 1, 2, 3, 4, 5, 6, 7 and 10, ought to be allowed, or a part thereof, and have further instructed me to ask leave that the same be transfered to the committee of accounts, to be provided for in the general appropriation bill. Vouchers 8 and 9, the committee have rejected, the same not being a State charge, and being otherwise provided for by the existing laws of the State.

On motion of Mr. Bell,

Ordered, that said report be received.

Whereupon,

Mr. Vannerson asked, and obtained leave to withdraw vouchers No. 8 and 9.

Mr. Boyd made the following report:

MR. SPEAKER:

The joint committee of conference on certain amendments made in the Senate to a bill to be entitled

An act to organize and establish Circuit Courts and define their powers in law and equity, have agreed on sundry amendments in which they respectfully request the concurrence of this House.

The amendments proposed and adopted in joint committee are as follows:

1st. Amend the amendment by striking out the word "May," in the seventeenth line and insert the word "April," in lieu thereof.

2d. Amend the last line but one, by striking out the word "November," and inserting "October."

3d. Amend amendment by striking out in the last line but one, the word "twelve," and insert "twenty-four."

4th. Amendment in page 7th, section 4, line 22, after the word "Copiah," strike out all to the word "in," and insert the words "the first Monday in May and November."

On motion of Mr. Boyd,

Said report was received; and

On motion of Mr. Shurtleff,

The same was agreed to.

Mr. Boyd from the judiciary committee made the following report:

MR. SPEAKER:

The judiciary committee have instructed me to report a bill to be entitled

An act to prescribe the mode of summoning and empaneling jurors in capital cases.

On motion of Mr. Boyd,

Ordered, that said report be received.

Whereupon,

Said bill was read the first time.

On motion of Mr. Carter,

The rule was dispensed with, and said bill read the second time.

On motion of Mr. Tucker,

Q.

The rule was further dispensed with, and said bill considered as engrossed, read a third time, and put upon 1st passage.

And the question being put, shall the bill pass?

It was decided in the affirmative.

Ordered, that the title of said bill be as stated; and that the clerk carry the said bill to the Senate and request their concurrence therein.

A message from the Governor by Mr. Allen, his private Secretary.

MR. SPEAKER:

I am directed by the Governor to inform this House, that he has on this day approved and signed bills with the following titles, to wit:

An act to provide for and prescribe the manner of filling vacancies in public offices.

An act to provide for a contingent fund of the Executive Department.

An act to amend an act "entitled an act to regulate the taking of documentary testimony in certain cases, and for other purposes, approved 13th December, 1830."

An act to authorize the trustees of the School lands within each township in this State to lease the sixteenth sections within the same for ninety-nine years, and for other purposes, and

An act to establish and organize the High Court of Errors and Appeals, and to define the powers and jurisdiction thereof.

All of which bills originated in this House.

And then he withdrew.

The report of the select committee on the resolution from the State of Georgia, relative to the call of a convention of the States,

Was read the third time and passed.

The engrossed bill to be entitled

An act to provide for the election of certain officers therein named,

Was read the third time and passed with its title as stated.

Ordered, that the clerk carry the said bill and report to the Senate and request their concurrence therein.

The House, according to the order of the day resolved itself into a committee of the whole, on the bill from the Senate to be entitled

An act to regulate elections in this State; Mr. Dixon in the chair,

And after some time spent therein,

A message from the Senate was announced at the bar of the House by the door-keeper;

Whereupon,

The Speaker resumed the chair; when

The following message was received from the Senate, by Mr. Gilbert, their acting Secretary.

MR. SPEAKER:

The Senate have passed the following bills, to wit:

A bill to be entitled

An act to make valid certain acts of William McGehee, as treasurer of Jones county.

A bill to be entitled

An act to incorporate the Antioch Baptist Church, in Warren county.

A bill to be entitled

An act to incorporate the town of Jackson, in Hinds county.

A bill to be entitled

An act to prescribe the duties of the Secretary of State, and to establish his Salary.

A bill in relation to the Franklin Academy, in the county of Lowndes.

All of which originated in this House.

The President of the Senate did, on yesterday sign the bills following to wit:

A bill to be entitled

An act to authorize the trustees of the School lands within each township in this State, to lease the sixteenth sections for 99 years, and for other purposes.

A bill to be entitled

An act to establish the High Court of Errors and Appeals, and to define the powers and jurisdiction thereof.

A bill to be entitled

An act for the relief of Samuel T. Scott.

A memorial to the Congress of the U. States, in relation to locating the U. States District Court at Jackson.

An act to amend an act entitled "An act, to regulate the taking of documentary testimony in certain cases, and for other purposes, approved 13th December, 1830."

An act to provide and prescribe the manner of filling vacancies in public offices.

An act to provide for a Contingent Fund for the executive department.

An act to establish the Agricultural Bank of Mississippi.

All of which bills and the memorial originated in the House of Representatives.

The Senate have agreed to all the amendments made by this House, to the bill to be entitled

An act, to establish boards of police, and define their powers and jurisdiction, and for other purposes.

And then he withdrew.

When the House resumed in committee of the whole, the consideration of the said bill—Mr. Dixon again in the chair.

And after some further time spent therein,

The Speaker resumed the chair; when

Mr. Dixon reported, that the committee of the whole House had, according to order, had said bill under consideration, had made some progress therein, but having come to no determination, had instructed him to ask leave to sit again at two o'clock, P. M., on this day.

On motion of Mr. Dixon,

Ordered, that said report be received.

Mr. Morrison presented the petition of Joseph Pierce, praying compensation for the distribution of the Journals of the late Convention, and Revised Constitution of the State.

Mr. Morrison moved that said petition be referred to the committee on claims.

Mr. Tucker moved that the same do lie on the table.

After debate—

The previous question was called for by Mr. Demoss, and being demanded by a majority of the members present:

The said previous question was then put, viz:

Shall the main question be now put?

And decided in the affirmative.

The said main question was then put, viz:

Shall the said petition lie on the table?

And decided in the negative.

The question was then taken on the motion made by Mr. Morrison, to refer said petition to the committee on claims,

And decided in the affirmative.

And then the House adjourned 'till 2 o'clock, P. M.

2 O'CLOCK, P. M.

The House met pursuant to adjournment.

On motion of Mr. Beasley,

Mr. Allen, a member from the county of Copiah, was excused from further attendance on the House during the remainder of the session.

The bill from the Senate to be entitled

An act, to regulate elections in this State, was in order for a committee of the whole House.

On motion of Mr. Keegan,

Ordered, that the order on said bill be postponed till 9 o'clock, A. M., on to-morrow.

The House according to the order of the day, resolved itself into a committee of the whole, on the bill to be entitled

An act, to carry into effect, that part of the 4th article of the Constitution, which provides for the establishment of a Court of Probates in the several counties of this State—Mr. Richardson in the chair.

And after some time spent therein,

A message from the Senate was announced at the bar of the House by the door-keeper.

Whereupon,

The Speaker resumed the chair; when

The following message was received from the Senate, by Mr. Gilbert, their acting Secretary:

MR. SPEAKER:

The Senate have agreed to the amendments to the amendments to the bill to be entitled

An act, to organize and establish Circuit Courts, and to define their powers in law and equity—

Reported by the joint committee of conference appointed on the disagreements between the two Houses.

And then he withdrew.

When the House resumed in committee of the whole the consideration of the said bill; Mr. Richardson in the chair.

And after some further time spent therein,

The Speaker resumed the chair; when

Mr. Richardson reported, that the committee of the whole House had according to order, had said bill under consideration, had made sundry amendments thereto, and had instructed him to report the same as amended.

On motion of Mr. Richardson,

Ordered, that said report be received.

On motion of Mr. Keegan,

Ordered, that the House agree to the 1, 2, 3, 5 and 6th, of said amendments.

The 4th amendment was then read, and being as follows:

Sec. — *Be it further enacted*, That so much of the 103d section, of the act entitled "an act to reduce into one the several acts concerning last wills and testaments, the duties of executors, administrators, guardians, and the rights of orphans and other representatives of deceased persons, passed November 26th, 1821," as declares the bills of physicians for services rendered as such, during the last illness of the deceased, in a greater amount than twenty five dollars to be a privileged claim, be and the same is hereby repealed.

It was moved by Mr. Boyd, that the same be agreed to by the House.

And the question being taken thereon,

It was decided in the affirmative.

YEAS 15—NAYS 13.

The yeas and nays being called for by three of the members present:

Those who voted in the affirmative are—

Messrs. Bell, Bole, Boyd, Brewer, Carter, Demoss, Ellis, Howard, McDonald, Morrison, Ragan, Shurtleff, Tucker, Vannerson, Vannorman—15.

Those who voted in the negative are—

Messrs. Speaker, Beatie, Bingaman, Dunbar, Dixon, Harper, Martin, McRae, Pendleton, Powell, Keegan, Richardson, Vance—13.

On motion of Mr. Shurtleff,

Ordered, that said bill be engrossed and made the order of the day for a third reading on to-morrow.

Mr. Bell from the joint committee on claims made the following report.

MR. SPEAKER:

The joint committee on claims have examined the accounts of R. H. Hall, J. H. Mallory, George G. Finucan, Hiram Coffee, Word and King, W. F. Pitman, and T. B. J. Hadley, and are of opinion the same are reasonable and just, and beg leave to transfer the same to the committee of accounts with instructions to insert the same in the general appropriation bill.

The same committee have examined the account of Fielding Davis for furnishing sustenance to a negro man in the jail of Wilkinson county, and are of opinion the same is not a State, but a county charge.

The committee have also examined the account of said Davis for holding elections for a delegate to the Convention, and for representatives, and a Senator to the State Legislature—the two first items they have rejected, the last item the committee have instructed me to ask leave to transfer the same to the committee of accounts to be provided for also, in the general appropriation bill.

On motion of Mr. Bell,

Ordered, that said report be received and agreed to.

Whereupon,

Mr. Boyd asked and obtained leave to withdraw the account of Fielding Davis for sustenance furnished a negro man in the jail of Wilkinson county.

The House according to the order of the day, resolved itself into a committee of the whole on the resolution to revise and consolidate the laws now in force in this State; Mr. Howard in the chair.

And after some further time spent therein,

The Speaker resumed the chair; when

Mr. Howard reported, that the committee of the whole House had, according to order, had said resolution under consideration, and had instructed him to report the same without amendment.

On motion of Mr. Howard,

Ordered, that said report be received and agreed to.

Mr. Vannorman moved that said resolution be committed to a select committee of seven members;

And the question being taken thereon,

It was decided in the negative.

On motion of Mr. McDonald,

Ordered, that said resolution be committed to a select committee of 5 members;

And in pursuance thereto,

Messrs. Vannorman, Bell, Bingaman, Dunbar and McDonald were appointed.

The House according to the order of the day, resolved itself into a committee of the whole on the bill from the Senate to be entitled

An act for the distribution of the Literary Fund among the several counties in this State, and for other purposes; Mr. Tucker in the chair.

And after some time spent therein,

The Speaker resumed the chair, when

Mr. Tucker reported that the committee of the whole House had, according to order, had said bill under consideration, and had instructed him to report the same without amendment.

On motion of Mr. Tucker,

Ordered, that said report be received and agreed to.

Mr. Bingaman moved, that said bill be indefinitely postponed.

After debate—

The previous question was called for by Mr. Bingaman, and being demanded by a majority of the members, the said previous question was then put, viz:

Shall the main question be now put?

And decided in the affirmative.

The said main question was then put, viz:

Shall the said bill be indefinitely postponed?

And decided in the negative.

YEAS 6—NAYS 22.

The yeas and nays being called for by three of the members present:

Those who voted in the affirmative are—

Messrs. Bell, Bingaman, Bole, Learned, Tucker, Vannerson—6.

Those who voted in the negative are—

Messrs. Speaker, Beasley, Beatie, Boyd, Brewer, Carter, Demoss, Dunbar, Dixon, Ellis, Harper, Howard, Keegan, Martin, McRae, McDonald, Morrison, Pendleton, Powell, Ragan, Vance, Vannorman—22.

Mr. Howard moved, that said bill be committed to a select committee of five members.

Mr. Tucker moved that the further consideration of said bill be postponed until the third Monday of November next.

And the question being taken thereon,

It was decided in the negative.

The question was then taken on the motion made by Mr. Howard to commit said bill to a select committee of five members;

Which was also decided in the negative.

It was then moved by Mr. Boyd, that said bill be amended as follows:

In third section 19, strike out the words "twenty-five" and insert in lieu thereof the words "thirteen," and insert after the word "shares" the words "the county of Holmes twelve shares."

And the question being taken thereon,

It was decided in the affirmative.

Mr. Keegan moved further to amend said bill as follows:

In third section, 14th line, strike out the word "seventeen" and insert in lieu thereof the word "twenty."

And the question being taken thereon,

It was decided in the affirmative.

On motion of Mr. Carter,

Said amendments were considered as engrossed, and the said bill as amended, read a third time forthwith and put upon its passage.

And the question being put, shall the bill pass?

It was decided in the affirmative.

YEAS 22—NAYS 4.

The yeas and nays being called for by three of the members present:

Those who voted in the affirmative are—

Messrs. Speaker, Beasley, Beatie, Boyd, Brewer, Carter, Demoss, Dunbar, Ellis, Harper, Howard, Keegan, Learned, Martin, McDonald, Morrison, Pendleton, Powell, Ragan, Richardson, Shurtleff, Tucker—22.

Those who voted in the negative are—

Messrs. Bell, Bole, Vance, Vannerson—4.

So the bill passed.

Ordered, that the title thereof be as stated, and that the clerk notify the Senate that the same has passed the House and request their concurrence in the said amendments.

Mr. Dunbar from the joint committee on accounts, made the following report:

MR. SPEAKER:

The joint committee on accounts have instructed me to report a bill to be entitled

An act making certain appropriations therein named.

On motion of Mr. Dunbar,

Ordered, that said report be received and agreed to.

Whereupon,

Said bill was read the first time.

On motion of Mr. Carter,

The rule was dispensed with and said bill was read the second time by its title.

On motion of Mr. Carter,

Ordered, that said bill be committed to a committee of the whole House, and made the order of the day for to-morrow.

And then the House adjourned till half past 6 o'clock, P. M.

HALF PAST 6 O'CLOCK, P. M.

The House met pursuant to adjournment.

The bill to be entitled

An act better to provide for the payment of persons summoned to guard prisoners,

Was read the second time.

On motion of Mr. Tucker,

The House forthwith resolved itself into a committee of whole on said bill; Mr. Howard in the chair,

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Howard reported, that the committee of the whole House had according to order, had said bill under consideration, and had instructed him to report the same without amendment.

On motion of Mr. Howard,

Ordered, that said report be received and agreed to.

Mr. McDonald moved, that said bill be amended as follows:

Strike out the word "two" wherever it occurs and insert in lieu thereof the word "one."

Mr. Morrison called for a division of the question—

When it was taken on striking out,

And decided in the negative.

On motion of Mr. Keegan,

The rule was dispensed with, and said bill was considered as engrossed, read a third time and put upon its passage.

And the question being put, shall the bill pass?

It was decided in the affirmative.

YEAS 18—NAYS 12.

The yeas and nays being demanded by three of the members present:

Those who voted in the affirmative are—

Messrs. Speaker, Beasley, Beatie, Bingaman, Bole, Boyd, Demoss, Dunbar, Dixon, Howard, Learned, Morrison, Pendleton, Richardson, Shelby, Vick, Vannerson, Vannorman—18.

Those who voted in the negative are—

Messrs. Bell, Brewer, Carter, Ellis, Harper, Keegan, Martin, McDonald, Powell, Ragan, Shurtleff, Tucker—12.

So the bill passed.

Ordered, that the title of said bill be as stated, and that the clerk carry said bill to the Senate and request their concurrence therein.

The bill from the Senate to be entitled

An act to provide for the erection of levees in the county of Washington,

Was read the third time.

Mr. Keegan moved that said bill be amended by way of rider, by adding at the end thereof, the following additional section:

Section — *Be it further enacted*, That nothing in this act shall affect non-residents or their property until it is satisfactorily proven to said inspectors, that the non-residents aforesaid have received notice of the duties required of them by this act.

Whereupon,

Said rider was read the first time.

On motion of Mr. Carter,

The rule was dispensed with, and said rider read the second time.

It was then moved by Mr. Dunbar, that said rider be amended as follows:

And provided, that non-residents' land, which shall not have been pur-

chased from the United States, five years previously, shall not be affected by the provisions of this act.

And the question being taken thereon,

It was decided in the negative.

Whereupon,

On motion of Mr. Bingham,

The rule was dispensed with, and said rider considered as engrossed, read the third time, and with the bill put upon its passage.

And the question being put, shall the bill with the rider pass?

It was decided in the affirmative.

Ordered, that the title of said bill be as stated, and that the clerk notify the Senate, that the said bill has passed the House, and request their concurrence in the said amendment.

The engrossed bill to be entitled

An act, to amend the several acts now in force, incorporating and concerning the town of Woodville, was read the third time, and passed with its title as stated.

Ordered, that the clerk carry said bill to the Senate, and request their concurrence therein.

The House according to the order of the day, resolved itself into a committee of the whole, on the bill to be entitled

An act, to extend the legal process of the county of Rankin, to certain parts of the Choctaw purchase, lying adjacent thereto, and for other purposes—Mr. Vannorman in the chair.

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Vannorman reported, that the committee of the whole House had, according to order, had said bill under consideration, and had instructed him to report the same without amendment.

Mr. Vannorman moved that said report be received and agreed to.

Mr. Pendleton called for a division of the question.

When it was taken first on receiving said report—

And decided in the affirmative.

It was then moved by Mr. Keegan, that the same do lie on the table.

And the question being taken thereon,

It was decided in the negative.

The question was then taken on agreeing to said report—

And decided in the affirmative.

Whereupon,

On motion of Mr. Morrison,

Ordered, that said bill be engrossed and made the order of the day for a third reading on to-morrow.

The bill to be entitled

An act, to amend an act, incorporating the town of Clinton, passed February 12th, 1830."

Was read the second time.

On motion of Mr. Morrison,

Ordered, that said bill be engrossed and made the order of the day for a third reading on to-morrow.

Mr. Howard moved a reconsideration of the vote taken on the bill to be entitled

An act, better to provide for the payment of persons summoned to guard criminals.

And the question being taken thereon,

It was decided in the negative.

YEAS 12—NAYS 16.

The yeas and nays being called for by three of the members present.

Those who voted in the affirmative are—

Messrs. Bell, Brewer, Carter, Ellis, Howard, Keegan, Martin, McDonald, Powell, Ragan, Shurtleff, Tucker—12.

Those who voted in the negative are—

Messrs. Speaker, Beasley, Beatie, Bingaman, Bole, Boyd, Demoss, Dunbar, Learned, McKee, Morrison, Pendleton, Shelby, Vick, Vannerson, Vannorman—16.

Mr. Tucker called for the consideration of the resolution, in relation to the Honorable George Poindexter.

And the question being taken thereon,

It was decided in the negative.

The bill to be entitled

An act, to define the duties of the State Treasurer, and to establish his salary, was in order for a second reading.

On motion of Mr. Bingaman,

The rule was dispensed with, and said bill read the second time by its title.

On motion of Mr. Bingaman,

The House forthwith resolved itself into a committee of the whole on said bill—Mr. Morrison in the chair.

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Morrison reported, that the committee of the whole House had, according to order, had said bill under consideration, had made sundry amendments thereto, and had instructed him to report the same as amended.

On motion of Mr. Morrison,

Ordered, that said report be received.

Mr. Morrison moved that the same be agreed to.

Mr. Carter said he would disagree to the amendment, proposing to allow the sum of twelve hundred dollars to the Treasurer, and called for a division of the question on the several amendments—

When it was taken on agreeing to all but the salary of the Treasurer—

And decided in the affirmative.

It was then taken on agreeing to so much of said amendments as relates to said salary.

Which was also decided in the affirmative.

Whereupon,

On motion of Mr. Bingaman,

The rule was further dispensed with, the said amendments considered as engrossed, and with the bill read the third time.

The House thereupon, on motion of Mr. Bell, proceeded again in committee of the whole, to consider said bill—Mr. Demoss in the chair.

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Demoss reported, that the committee of the whole House had had said bill again under consideration, and had instructed him to report the same without amendment.

On motion of Mr. Demoss,

Ordered, that said report be received and agreed to.

Whereupon,

Said bill was put upon its passage and passed with its title as stated.

Ordered, that the clerk acquaint the Senate therewith, and request their concurrence therein.

On motion of Mr. Shurtleff,

Ordered, that an additional member be added to the committee on enrolled bills;

And in pursuance thereto, Mr. Vannorman was appointed.

By leave of the House, Mr. Boyd introduced a bill to be entitled

An act, to amend an act entitled "An act, for the relief of John Caraway, passed January 21st, 1833"—

Which was read the first time.

On motion of Mr. Boyd,

The rule was dispensed with, and said bill read the second time by its title.

Mr. Martin moved that said bill lie on the table.

Mr. Demoss moved that the House adjourn.

And the question being taken thereon,

It was decided in the negative.

The question was then taken on the motion made by Mr. Martin, to lay said bill on the table—

And decided in the affirmative.

Whereupon,

The House adjourned.

Thursday, February 28, 1833.

The House met pursuant to adjournment—

When, after the journal of yesterday was read, Mr. Dixon a member from

the county of Jefferson, rose and announced to the House the death of John A. Barnes, a delegate from Claiborne county, and a member of the House of Representatives.

And thereupon,

Submitted the following preamble and resolution, which was unanimously adopted, and carried to the Senate for their concurrence:

John A. Barnes, Esquire, a delegate from Claiborne county, and a member of the House of Representatives, since our last adjournment, hath departed this life.

Wherefore,

Be it resolved, with the concurrence of the Senate, that this Legislature, deeply affected by the death of our worthy, amiable and highly esteemed brother, will adjourn until 2 o'clock this day, and wear the accustomed badge of respect for his memory thirty days, and in procession accompany the corpse on the way to his late residence, without the limits of the town of Jackson.

Resolved, That the Governor, the heads of department, and the officers of both Houses be invited to join the procession.

Resolved, That a copy of these resolutions be transmitted to the friends of the deceased, with whom we deeply sympathise for the irreparable loss they have sustained.

On motion of Mr. Keegan,

Resolved, That the Reverend Peter Donan be invited to attend the funeral procession of the late John A. Barnes, Esquire, and to perform the usual ceremonies of the church before we part with the corpse at the limits of the town.

The following message was received from the Senate, by Mr. Gilbert, their acting Secretary:

MR. SPEAKER:

I am instructed to inform this House, that the Senate have concurred in the resolution relative to an adjournment of both Houses in consequence of the death of John A. Barnes, Esq., one of the representatives from the county of Claiborne, and that the members of the Legislature will join in procession to accompany the corpse without the limits of the town of Jackson.

And then he withdrew.

Whereupon,

On motion of Mr. Dunbar,

Resolved, That a committee of three be appointed to invite the Rev. Peter Donan, the Governor and the heads of Department to attend the funeral procession of the late John A. Barnes, Esquire, and to make the necessary arrangements for the same. The committee appointed were Messrs. Dunbar, Bingaman and Ragan.

The House then, on motion of Mr. Bingaman, adjourned 'till 2 o'clock, P. M.

2 O'CLOCK, P. M.

The House met pursuant to adjournment.

Mr. Shurtleff, from the joint committee on enrolled bills made the following report:

MR. SPEAKER:

The joint committee on enrolled bills have examined bills with the following titles, to wit:

An act to prescribe the duties of the Secretary of State, and establish his salary.

An act to make valid certain acts of William McGehee as Treasurer of the county of Jones.

An act to incorporate the town of Jackson, in Hinds county.

An act to incorporate the Antioch Baptist church in Warren county.

An act to alter and amend the charter of the incorporation of the President and Trustees of the Franklin Academy, and to repeal an act entitled "an act to alter and amend the charter of the corporation of the President and Trustees of the Franklin Academy, in the county of Lowndes, and for other purposes, approved December 19th, 1831."

An act to incorporate the Big Black Bridge and Turnpike Road Company.

An act for the relief of William A. Woods.

And have found the same correctly enrolled.

The Speaker signed said bills.

Ordered, that the clerk carry them to the Senate for the signature of the President thereof.

Mr. Demoss presented the account of Peter Isler for Job printing.

On motion of Mr. Demoss,

Ordered, that said account be referred to the committee of the whole House, with the appropriation bill.

The bill to be entitled

An act to carry into effect that part of the 4th article of the constitution which provides for the establishment of a Court of Probates in the several counties of this State, was read the third time and passed with its title as stated.

Ordered, that the clerk carry said bill to the Senate and request their concurrence therein.

The House according to the order of the day, resumed in committee of the whole the consideration of the bill from the Senate to be entitled

An act to regulate elections in this State; Mr. Pendleton in the chair.

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Pendleton reported, that the committee of the whole House had, according to order, had said bill under consideration, had made sundry amendments thereto, and had instructed him to report the same as amended.

On motion of Mr. Pendleton,

Ordered, that said report be received and agreed to.

On motion of Mr. Keegan,

Ordered, that the said amendments be engrossed, and that the said bill together with the amendments, be made the order of the day for a third reading at half past 6 o'clock, P. M. on this day.

The bill to be entitled

An act making certain appropriations therein named, was in order for a committee of the whole House.

On motion of Mr. Bell,

Ordered, that the order on said bill be postponed till to-morrow.

The bill from the Senate to be entitled

An act to provide for selling the thirty-six sections of land granted by the United States to the State of Mississippi, for a Seminary of learning and to dispose of the proceeds of said sale,

Was in order for a second reading.

Mr. Keegan moved, that the further consideration of said bill be postponed till the third Monday of November next.

After debate—

The previous question was call for by Mr. Powell, and being demanded by a majority of the members present,

The said previous question was then put, viz:

Shall the main question be now put?

And decided in the affirmative.

The said main question was then put, viz:

Shall the further consideration of said bill be postponed until the third Monday of November next?

And decided in the negative.

YEAS 7—NAYS 20.

The yeas and nays being called for by three of the members present:

Those who voted in the affirmative are—

Messrs. Carter, Ellis, Keegan, Learned, Martin, McDonald, Ragan—7.

Those who voted in the negative are—

Messrs. Speaker, Beasley, Beatie, Bell, Bingaman, Bole, Boyd, Brewer, Demoss, Dixon, Howard, Morrison, Pendleton, Powell, Shelby, Shurtleff, Tucker, Vance, Vick, Vannerson—20.

Said bill was then read the second time.

Whereupon,

On motion of Mr. Bell,

Ordered, that said bill be committed to a committee of the whole House and made the order of the day for to-morrow.

The bill to be entitled

An act to amend the one hundredth chapter of the revised code—

Was read the second time.

On motion of Mr. Bingaman,

Ordered, that said bill be indefinitely postponed.

The bill to be entitled

An act concerning the publication of a book therein named, and for other purposes,

Was read the second time.

Mr. Demoss moved, that said bill be indefinitely postponed.

After debate—

The previous question was called for by Mr. Martin, and being demanded by a majority of the members present,

The said previous question was then put, viz:

Shall the main question be now put?

And decided in the affirmative.

The said main question was then put, viz:

Shall the said bill be indefinitely postponed?

And decided in the negative.

YEAS 10—NAYS 17.

The yeas and nays being called for by three of the members present:

Those who voted in the affirmative are—

Messrs. Speaker, Beasley, Bell, Bingaman, Demoss, Dixon, Learned, Shelby, Tucker, Vick—10.

Those who voted in the negative are—

Messrs. Beatie, Bole, Boyd, Brewer, Carter, Ellis, Howard, Keegan, Martin, McDonald, McRae, Morrison, Pendleton, Powell, Ragan, Shurtleff, Vannerson—17.

On motion of Mr. Tucker,

Ordered, that the further consideration of said bill be postponed until the third Monday of November next.

A message from the Governor, by Mr. Allen, his private Secretary:

MR. SPEAKER:

I am directed by the Governor to inform this House, that on yesterday he approved and signed a bill entitled

An act to establish the Agricultural Bank of Mississippi, which originated in this House.

And then he withdrew.

The bill to be entitled

An act to repeal a part of the 106th chapter of the revised code,

Was read the second time.

On motion of Mr. Vannerson,

The rule was dispensed with and said bill was considered as engrossed, read a third time and put upon its passage.

And the question being put, shall the bill pass?

It was decided in the affirmative.

Ordered, that the title be as stated.

Ordered, that the clerk carry said bill to the Senate, and request their concurrence therein.

The bill to be entitled

An act to define the duties of the Auditor of Public Accounts and to establish his salary—

Was in order for a second reading.

On motion of Mr. Powell,

The rule was dispensed with, and said bill read the second time by its title.

Whereupon,

On motion of Mr. Vannorman,

The house forthwith resolved itself into a committee of the whole on said bill—Mr. McRae in the chair.

And after some time spent therein,

The Speaker resumed the chair; when

Mr. McRae reported, that the committee of the whole House had, according to order, had said bill under consideration, had made sundry amendments thereto, and had instructed him to report the same as amended.

On motion of Mr. McRae,

Ordered, that said report be received and agreed to.

On motion of Mr. Morrison,

The rule was dispensed with, said bill considered as engrossed, read a third time, and put upon its passage.

And the question being put, shall the bill pass?

It was decided in the affirmative.

Ordered, that the title of said bill be as stated, and that the clerk carry the said bill to the Senate, and request their concurrence therein.

Mr. Shurtleff, from the joint committee on enrolled bills, made the following report:

MR. SPEAKER:

The joint committee on enrolled bills did, on this day, present to his Excellency the Governor, for his approval and signature, bills of the following titles, to wit:

An act to make valid certain acts of William McGehee, as Treasurer of the county of Jones.

An act to alter and amend the charter of the incorporation of the President and Trustees of the Franklin Academy, and to repeal an act entitled "an act to alter and amend the charter of the incorporation of the President and Trustees of the Franklin Academy, in the county of Lowndes, and for other purposes, approved December 19th, 1831."

An act for the relief of William A. Woods.

An act to prescribe the duties of the Secretary of State, and to establish his salary.

An act to incorporate the town of Jackson, in Hinds county.

An act to incorporate the Antioch Baptist Church, in Warren county.

An act to incorporate the Big Black bridge and turnpike road company.

And then the House adjourned till half past six o'clock, P. M.

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HALF PAST 6 O'CLOCK, P. M.

The House met pursuant to adjournment.

By leave of the House, Mr. Beatie introduced a bill to be entitled
An act to provide for running and marking the line between the counties of Madison and Scott—

Which was read the first time.

Mr. Beatie moved that the rule be dispensed with, and said bill read a second time forthwith by its title.

Mr. Demoss moved that the same do lie on the table;

And the question being taken thereon,

It was decided in the negative.

The question was then taken on the motion made by Mr. Beatie, that the rule be dispensed with, and said bill read a second time forthwith by its title,

And decided in the affirmative.

Whereupon,

Said bill was read the second time by its title.

On motion of Mr. Beatie,

The rule was further dispensed with, and said bill was considered as engrossed, read a third time, and put upon its passage.

And the question being put, shall the bill pass?

It was decided in the affirmative.

Ordered, that the title of said bill be as stated, and that the clerk carry said bill to the Senate, and request their concurrence therein.

The bill from the Senate to be entitled

An act to regulate elections in this State; was in order for a third reading.

On motion of Mr. Bingaman,

The rule was dispensed with, and said bill read the third time by its title.

And the question being put, shall the bill pass?

It was decided in the affirmative.

Ordered, that the title of said bill be as stated, and that the clerk notify the Senate that the same has passed this House and request their concurrence in the amendments made thereto.

Mr. Bell from the joint committee on claims made the following report:

MR. SPEAKER:

The joint committee on claims have examined the accounts of W. W. Calmes, and James C. Isbell, and have instructed me to report, that they are of opinion the same is just and ask leave that the same be referred to the committee of the whole to be inserted in the genal appropriation bill.

On motion of Mr. Bell,

Ordered, that said report be received and agreed to.

A message from the Senate, by Mr. Gilbert, their acting Secretary:

MR. SPEAKER:

The Senate have passed bills of the titles following, to wit:

An act to alter and amend "an act to incorporate the town of Columbus, in the county of Monroe, passed June 27th, 1822, and for other purposes."

A bill to be entitled

An act to carry into effect and put in force an act therein named.

A bill to be entitled

An act for the relief of James Reid, tax collector of Wilkinson county, and

A bill to be entitled

An act to provide for the location of a permanent seat of justice for Madison county.

All which bills originated in the House of Representatives.

The Senate have rejected a bill from this House to be entitled

An act to grant a charter to Joel E. Carstarphen, for a bridge to be built over Big Black river, from Hinds to Warren county.

The Senate have concurred in the joint resolution from this House, that both Houses adjourn, *sine die*, on Saturday, the 2d day of March.

And then he withdrew.

Mr. Bell called for the consideration of the resolution from the Senate in relation to the Land Office of the Surveyor General.

And the question being taken thereon,

It was decided in the negative.

On motion of Mr. Howard,

The House proceeded to consider the bill to be entitled

An act to extend the legal process of the county of Rankin, to certain parts of the Choctaw purchase lying adjacent thereto, and for other purposes.

Whereupon,

On motion of Mr. Howard,

The House forthwith proceeded in committee of the whole to consider said bill; Mr. Beasley in the chair.

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Beasley reported, that the committee of the whole House had, according to order, had said bill under consideration, had made an amendment thereto and had instructed him to report the same as amended.

On motion of Mr. Mr. Beasley,

Ordered, that said report be received and agreed to.

Mr. Pendleton moved the indefinite postponement of said bill.

After debate—

The previous question was called for by Mr. McDonald, and being demanded by a majority of the members present:

The said previous question was then put, viz:

Shall the main question be now put?

And decided in the affirmative.

The said main question was then put, viz:

Shall the bill be indefinitely postponed?

And decided in the affirmative.

YEAS 13—NAYS 8.

The yeas and nays being demanded by three of the members present:

Those who voted in the affirmative are—

Messrs. Speaker, Beasley, Bole, Demoss, Dixon, Ellis, Keegan, McDonald, Pendleton, Ragan, Shelby, Shurtleff, Vance—13.

Those who voted in the negative are—

Messrs. Howard, Learned, McRae, Powell, Tucker, Vick, Vannerson, Vannorman—8.

The bill to be entitled

An act to establish and organize a Superior Court of Chancery and to define the powers and jurisdiction thereof,

Was in order for a second reading.

On motion of Mr. Pendleton,

The rule was dispensed with, and said bill read the second time by its title.

Whereupon,

On motion of Mr. Vannerson,

The House forthwith resolved itself into a committee of the whole on said bill; Mr. Dixon in the chair,

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Dixon reported, that the committee of the whole House had, according to order, had said bill under consideration, had made sundry amendments thereto, and had instructed him to report the same as amended.

On motion of Mr. Dixon,

Said report was received; and

On motion of Mr. Shelby,

The same was agreed to.

On motion of Mr. Keegan,

Ordered, that said bill be engrossed and made the order of the day for a third reading on to-morrow.

On motion of Mr. Morrison,

The House proceeded to consider the bill from the Senate to be entitled
An act to amend an act entitled "an act to revise the militia system, approved February 12th, 1830."

On motion of Mr. Vannerson,

Ordered, that said bill be made the order of the day for a second reading on to-morrow.

By leave of the House, Mr. Bell introduced a bill to be entitled

An act to repeal an act to amend an act entitled "an act to extend legal process into that part of the State now occupied by the Chickasaw and Choctaw tribes of Indians, approved February 4th, 1829,"

Which was read the first time.

On motion of Mr. Bell,

The rule was dispensed with and said bill read the second time.

On motion of Mr. Bell,

The rule was further dispensed with, and said bill was considered as engrossed, read a third time, and put upon its passage.

It was then moved by Mr. Tucker,

That said bill be amended by way of rider by adding at the end thereof the following proviso:

Provided, that the provisions of this act shall not extend to the counties of Lowndes, Madison, Covington, Jones and Wayne.

Whereupon,

Said rider was read the first time.

On motion of Mr. Tucker,

The rule was dispensed with and said rider read the second time.

On motion of Mr. Bole,

The rule was further dispensed with, and said rider was considered as engrossed, read the third time and with the bill put upon its passage.

And the question being put, shall the bill and rider pass?

It was decided in the affirmative.

Ordered, that the title of said bill be as stated, and that the clerk carry said bill to the Senate and request their concurrence therein.

On motion of Mr. Beasley,

The House proceeded to consider the bill to be entitled

An act to establish and change election precincts in certain counties.

On motion of Mr. Bell,

Ordered, that said bill be committed to a committee of the whole House, and made the order of the day for to-morrow.

The bill to be entitled

An act prescribing the mode of electing and duties of constables—

Was read the second time.

On motion of Mr. Martin,

Ordered, that said bill be indefinitely postponed.

The bill to be entitled

An act to amend "an act to provide for the election of a public printer, prescribe his duties and fixing the prices for the public printing"—

Was read the second time.

Mr. Bingaman moved, that said bill lie on the table;

And the question being taken thereon,

It was decided in the negative.

Mr. Martin moved, that said bill be committed to a committee of the whole House, and made the order of the day for to-morrow.

Mr. Dixon moved, that said bill be indefinitely postponed;

And the question being taken thereon,

It was decided in the negative.

The question was then taken on the motion made by Mr. Martin, to commit said bill to a committee of the whole House for to-morrow —

And decided in the affirmative.

A message from the Senate, by Mr. Gilbert, their acting Secretary.

MR. SPEAKER:

The Senate have disagreed to the amendments made by the House of Representatives to the bill to be entitled

An act to regulate elections in this State.

And then he withdrew.

On motion of Mr. Vannerson,

Ordered, that the House insist on the first of said amendments.

On motion of Mr. Keegan,

Ordered, that the House insist on the second of said amendments.

On motion of Mr. Bingaman,

Ordered, that the House insist on the third and fourth of said amendments.

Ordered, that the clerk acquaint the Senate therewith.

The bill to be entitled

An act to make less expensive suits, and for other purposes—was in order for second reading.

On motion of Mr. Demoss,

Ordered, that the further consideration of said bill be postponed until the third Monday of November next.

The bill to be entitled

An act, to continue in force an act entitled "An act, to establish a Court of Criminal Jurisdiction, in and for the county of Adams"—

Was read the second time.

Mr. Tucker moved that the further consideration of said bill be postponed until the third Monday in November next.

After debate—

The previous question was called for by Mr. Powell, and being demanded by a majority of the members present:

The said previous question was then put, viz:

Shall the main question be now put?

And decided in the affirmative.

The said main question was then put, viz:

Shall the further consideration of said bill be postponed until the third Monday in November next?

And decided in the negative.

On motion of Mr. Bingaman,

Ordered, that said bill be committed to a committee of the whole House, and made the order of the day for to-morrow.

On motion of Mr. Bole,

The House proceeded to consider the bill to be entitled

An act, to amend an act entitled "An act, for the relief of John Caraway, passed January 21st, 1833."

Whereupon,

On motion of Mr. Bole,

A bill to be entitled

The rule was dispensed with, and said bill considered as engrossed, read a third time and put upon its passage.

And the question being put, shall the bill pass?

It was decided in the affirmative.

Ordered, that the title of said bill be as stated, and that the clerk carry said bill to the Senate, and request their concurrence therein.

The resolution concerning the conduct of the Honorable George Poin-dexter in the Congress of the United States—was in order for a second reading.

When it was moved by Mr. Shelby, that the House adjourn;

And the question being taken thereon,

It was decided in the negative.

Said resolution was then read the second time.

On motion of Mr. Tucker,

Ordered, that said resolution be committed to a committee of the whole House, and made the order of the day for to-morrow.

The bill from the Senate, to be entitled

An act, to restrain idle and disorderly persons—was in order for a second reading.

On motion of Mr. Learned,

Ordered, that said bill be indefinitely postponed.

The bill to be entitled

An act, to amend an act, incorporating the town of Clinton, passed February 12th, 1830, was in order for a third reading.

Mr. Tucker moved that said bill be indefinitely postponed;

And the question being taken thereon,

It was decided in the negative.

Whereupon,

Said bill was read the third time and passed with its title as stated.

Ordered, that the clerk acquaint the Senate therewith and desire their concurrence therein.

By leave of the House, Mr. Vannerson introduced a bill to be entitled

An act, to provide more effectually for the collection of fines to the use of the State, adjudged in cases of gaming.

Which was read the first time.

On motion of Mr. Carter,

The rule was dispensed with, and said bill was read the second time by its title.

On motion of Mr. Vannorman,

Ordered, that said bill be committed to a committee of the whole House, and made the order of the day for to-morrow.

Mr. Vannorman, from the select committee to whom was committed the resolution, to revise and consolidate the laws now in force in this State,

Reported, that the committee had, according to order, had said resolution under consideration, had made an amendment thereto and had instructed him to report the same as amended.

On motion of Mr. Vannorman,

Ordered, that said report be received and agreed to.

Whereupon,

On motion of Mr. Bingaman,

The House forthwith resolved itself into a committee of the whole, on said resolution; Mr. Bole in the chair,

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Bole reported, that the committee of the whole House had, according to order, had said resolution under consideration, had made an amendment thereto, and had instructed him to report the same as amended.

Mr. Bole moved, that said report be received; when,

On motion of Mr. Bingaman,

The House adjourned.

Friday, March 1, 1833.

The House met pursuant to adjournment.

On motion of Mr. Vannorman,

Ordered, that Mr. Dunbar be excused from further attendance on the House the remainder of the session.

Mr. Howard made the following report:

MR. SPEAKER:

The undersigned, chairman of the select committee appointed by this House to inquire into the expediency of memorializing the Congress of the United States, to grant to the State of Mississippi certain lands belonging to the United States, lying below the Choctaw line, on each side of Pearl River, in this State, for the purpose of improving the navigation of said River, respectfully begs leave to report, that Pearl River is situated farther in the interior than any other navigable stream of the State; that it seems designed by nature as the route by which the produce of the interior of the State should pass to market; that heretofore one of the greatest impediments to the sale of the United States land in the central part of this State, has been its great distance from market, and the difficulty of transportation; that the navigation of said river is capable of being improved, so as to be safe and convenient for steam boats; for notwithstanding the fallen timber in the river, which is one of the principal obstructions to its navigation, steam boats already ascend the river as far as the Seat of Government. Your committee believe the navigation of Pearl river truly a *national object*, inasmuch as said river, for a considerable part of its course, runs between this State and the State of Louisiana; that improving its navigation would more closely unite the commercial interest of the Union, and would open an easy, safe and expeditious passage for

the increasing productions of the interior of this State, to the New Orleans market, and would also facilitate the defence of that important part of the Union in case of war.

Your committee believe that several similar grants have already been made by the Congress of the United States, for internal improvement, to the States of Ohio, Indiana and Alabama. Your committee would also represent that most of the good lands lying near Pearl river have already been entered; that much of the land on either side of said river, and within five miles thereof, is of a refuse and poor quality; or by reason of its being inundated, is incapable of cultivation. Your committee are of opinion, that should the lands belonging to the United States, and lying below the present Choctaw line, in this State, and within five miles of said river, on each side thereof, be granted to the State of Mississippi, for the purpose of improving the navigation of said river, and this State should be allowed to sell the same, on a credit of one, two, three and four years, it would constitute a fund sufficient for opening and improving the navigation of said river. Your committee, therefore, recommend the adoption of the following resolution:

Resolved, by the Legislature of the State of Mississippi, That our Senators in Congress be instructed, and our Representatives be requested, to use their best exertions to obtain from Congress a grant to the State of Mississippi, of all the unsold lands on each side of Pearl river, within five miles thereof, below the present Choctaw line, and within this State, for the purpose of improving the navigation of said river.

N. G. HOWARD, *Chairman.*

Mr. Howard moved that said report be received and agreed to—

Mr. Shelby called for a division of the question—

When it was taken on receiving said report;

And decided in the affirmative.

It was then moved by Mr. Shelby, that the same do lie on the table.

After debate—

The previous question was called for by Mr. McDonald, and being demanded by a majority of the members present:

The said previous question was then put, viz:

Shall the main question be now put?

And decided in the affirmative.

The said main question was then put, viz:

Shall the said report lie on the table?

And decided in the negative.

YEAS 7—NAYS 19.

The yeas and nays being called for by three of the members present:

Those who voted in the affirmative are—

Messrs. Speaker, Beasley, McDonald, Richardson, Shelby, Vick, Van-norman—7.

Those who voted in the negative are—

Messrs. Beatie, Bell, Bole, Brewer, Carter, Demoss, Dixon, Ellis, How-

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ard, Keegan, Martin, McRae, Morrison, Powell, Ragan, Shurtleff, Tucker, Vance, Vannerson—19.

Mr. Vannorman moved that the further consideration of said report be postponed until the third Monday in November next.

After debate—

The previous question was called for by Mr. Vance, and being demanded by a majority of the members present:

The said previous question was then put, viz:

Shall the main question be now put?

And decided in the affirmative.

The said main question was then put, viz:

Shall the further consideration of said report be postponed until the third Monday in November next?

And decided in the affirmative.

Mr. Shurtleff by leave of the House, introduced a bill to be entitled

An act, concerning the powers and jurisdiction of Justices of the Peace in this State—

Which was read the first time.

On motion of Mr. Carter,

Ordered, that said bill lie on the table.

A message from the Governor, by Mr. Allen, his private Secretary.

MR. SPEAKER:

I am directed by the Governor to inform this House, that he has this day approved and signed bills with the following titles, to wit:

An act to incorporate the Big Black Bridge and Turnpike Road Company.

An act to incorporate Antioch Baptist Church in Warren county.

An act to prescribe the duties of Secretary of State, and to establish his salary.

An act to alter and amend the Charter of the Incorporation of the President and Trustees of the Franklin Academy; and to repeal an act entitled "An act, to alter and amend the Charter of the Corporation of the President and Trustees of the Franklin Academy, in the county of Lowndes, and for other purposes, approved December 19th, 1831;" and

An act to make valid certain acts of William McGehee as Treasurer of the county of Jones.

All of which originated in this House.

And then he withdrew.

On motion of Mr. Keegan,

The House proceeded in committee of the whole, to consider the bill to be entitled

An act, to reduce into one the several acts concerning the mode of election and jurisdiction of Justices of the Peace in this State—Mr. Howard in the chair.

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Howard reported, that the committee of the whole House had, according to order, had said bill under consideration, had made sundry amendments thereto, and had instructed him to report the same as amended.

On motion of Mr. Howard,

Ordered, that said report be received and agreed to.

On motion of Mr. Keegan,

Ordered, that said bill be engrossed and made the order of the day for a third reading at two o'clock, P. M., on this day.

Mr. Beasley moved a reconsideration of the vote taken on the report made by Mr. Howard on this day.

And the question being taken thereon,

It was decided in the negative.

Mr. Dixon by leave of the House, introduced a bill to be entitled

An act, to amend an act to establish the Agricultural Bank of the State of Mississippi—

Which was read the first time.

Mr. Dixon moved that the rule be dispensed with, and said bill read the second time.

Mr. Tucker moved that said bill be rejected.

And the question being taken thereon,

It was decided in the negative.

The question was then taken on the motion made by Mr. Dixon, that the rule be dispensed with, and said bill be read the second time;

And decided in the affirmative.

Whereupon,

Said bill was then read the second time.

On motion of Mr. Dixon,

The rule was dispensed with, and said bill was considered as engrossed, and read a third time.

It was then moved by Mr. Vannorman, that said bill be amended by way of rider, by adding at the end thereof the following section:

Be it further enacted, That it shall be the duty of the Assessor and Collector, of each and every county in this State, where the Agricultural Bank of the State of Mississippi, or its branches may be located, to assess and collect of said Bank or its branches in his county, the tax on the capital stock subscribed for on the books of said Bank or its branches—

Which was read the first time.

It was then moved by Mr. Vannerson, that said bill be indefinitely postponed.

After debate—

The previous question was called for by Mr. Shelby, and being demanded by a majority of the members present:

The said previous question was then put, viz:

Shall the main question be now put?

And decided in the affirmative.

The said main question was then put, viz:

Shall the bill be indefinitely postponed?

And decided in the negative.

It was then moved by Mr. Dixon,

That the rule be dispensed with, and said rider read a second time,

And the question being taken thereon,

It was decided in the negative.

Whereupon,

Mr. Tucker moved, that said vote be re-considered;

And the question being taken thereon,

It was decided in the affirmative.

The question was then taken on the motion made by Mr. Dixon, that the rule be dispensed with and said rider read the second time;

And the question being taken thereon,

It was decided in the affirmative.

Whereupon,

Said rider was read the second time.

It was then moved by Mr. Vannerson,

That said rider be amended as follows:

Provided the corporation of the city of Natchez shall have power to levy and collect a tax from the stock holders of said bank, not exceeding five hundred dollars per annum.

Mr. Shelby moved, to reject said amendment;

And the question being taken thereon,

It was decided in the affirmative.

It was then moved by Mr. Dixon, that the rule be further dispensed with, and that said rider be considered as engrossed, read a third time and with the bill put upon its passage—

And the question being put,

It was decided in the negative.

Another motion was made by Mr. Dixon,

That said rider be indefinitely postponed—

And the question being taken thereon,

It was decided in the negative.

Whereupon,

Mr. Boyd moved, that said rider be amended as follows:

Strike out after the word "enacted" and insert the words "that this act shall not be construed to exempt the real estate of said bank from county or corporation tax—

And the question being taken thereon,

It was decided in the affirmative.

It was then ordered, on motion of Mr. Bole, that the said rider be engrossed and read a third time on to-morrow, and with the bill put upon its passage.

Mr. Shurtleff, from the committee on enrolled bills, made the following report:

MR. SPEAKER:

The joint committee on enrolled bills have examined bills of the following titles, to wit:

An act to provide for the location of a permanent seat of justice, Madison county.

An act for the relief of James Reed, tax collector of Wilkinson county.

An act to carry into effect and put in force an act therein named.

An act to alter and amend an act to incorporate the town of Columbus, in the county of Monroe, passed June 27th, 1822, and for other purposes,

And have found the same correctly enrolled.

The Speaker signed said bills.

Ordered, that the clerk carry them to the Senate for the signature of the President thereof.

Mr. McRae called for the consideration of the bill from the Senate, in relation to the prohibition of slaves as merchandize;

And the question being taken thereon,

It was decided in the negative.

The bill to be entitled

An act to establish and organize a separate Superior Court of Chancery, and to define the powers and jurisdiction thereof,

Was in order for a third reading.

Whereupon,

On motion of Mr. Tucker,

The House forthwith proceeded in committee of the whole to consider said bill; Mr. Vick in the chair,

And after some time spent therein,

The Speaker resumed the chair, when

Mr. Vick reported that the committee of the whole House had, according to order, had said bill under consideration, had made an amendment thereto, and had instructed him to report the same as amended.

Mr. Vick moved, that said report be received and agreed to.

Mr. Tucker called for a division of the question, when it was taken on receiving said report,

And decided in the affirmative.

The question then recurred on agreeing to said report—

When it was moved by Mr. Bell, that the same be committed to a committee of the whole House and made the order of the day for this day at half past two o'clock, P. M.

And the question being taken thereon,

It was decided in the negative.

The question was then taken on agreeing to said report,

And decided in the affirmative,

When on motion of Mr. Tucker, it was ordered, that the same do lie on the table.

By leave of the House, Mr. Bingaman introduced a memorial to the Congress of the United States of America, for the relief of Wm. L. S. Dearing.

Which was read the first time.

Mr. Bingaman moved, that the rule be dispensed with, and said memorial read a second time forthwith,

And the question being taken thereon,

It was decided in the negative.

And then on motion, the House adjourned till half past 2 o'clock, P. M.

HALF PAST 2 O'CLOCK, P. M.

The House met pursuant to adjournment—

A message from the Senate, by Mr. Gilbert, their acting Secretary.

MR. SPEAKER:

The Senate have agreed to the amendments made by this House to the bill to be entitled

An act to provide for the erection of levees in the county of Washington.

The Senate have also agreed to the amendments made by this House to the bill to be entitled

An act for the distribution of the Literary Fund among the several counties in this State, and for other purposes.

The Senate have passed the bill from this House to be entitled

An act concerning the Attorney General and District Attorneys, with an amendment thereto—in which amendments I am instructed to ask the concurrence of this House.

The Senate have refused to pass a bill from this House to be entitled

An act to authorize the drawing a lottery to build a Masonic Hall in the town of Clinton, in the county of Hinds.

The Senate have passed a bill to be entitled

An act to repeal the 16th section of an act entitled "an act respecting the appointment and duties of Sheriffs, passed June 15th, 1822, and for other purposes;" in which bill I am instructed to ask the concurrence of this House.

The Senate have passed bills from the House of Representatives of the following titles, to wit:

A bill to be entitled

An act to provide for running and marking the line between the counties of Yazoo and Holmes, and for other purposes.

A bill to be entitled

An act supplementary to an act entitled "an act further to amend an act entitled an act to establish a Planters Bank in the State of Mississippi, approved February 10th, 1830, and the act supplemental thereto."

A bill to be entitled

An act to prescribe the mode of summoning and empanneling jurors in capital cases.

A bill to be entitled

An act to repeal a part of the 106th chapter of the Revised Code.

A bill to be entitled

An act to alter and amend the 2nd section of the 7th article of the Constitution under the head or title "Slaves."

The Senate have also passed a bill from this House to be entitled

An act to provide for the election of certain officers therein named, with certain amendments thereto; in which amendments I am instructed to ask the concurrence of this House.

The Senate have refused to pass the bill from this House to be entitled

An act to amend the 40th chapter of the laws of 1831, and for other purposes.

And then he withdrew.

The bill from the Senate to be entitled

An act to repeal the 16th section of an act entitled "an act respecting the appointment and duties of Sheriffs, passed, June 15, 1822, and for other purposes"—

Was read the first time.

On motion of Mr. Carter,

The rule was dispensed with, and said bill read the second time by its title.

On motion of Mr. Vannerson,

The rule was further dispensed with, said bill read a third time and put upon its passage.

And the question being put, shall the bill pass?

It was decided in the affirmative.

Ordered, that the title of said bill be as stated:

The House, on motion of Mr. Keegan, concurred in the amendments made by the Senate to the bill to be entitled

An act to provide for the election of certain offices therein named; and

On motion of Mr. Bell,

Disagreed to the amendment to the bill to be entitled

An act concerning the Attorney General and District Attorneys.

YEAS 21—NAYS 4.

The yeas and nays being demanded by three of the members present:

Those who voted in the affirmative are—

Messrs. Speaker, Beasley, Beatie, Bell, Bingham, Bole, Boyd, Brewer, Demoss, Howard, Learned, Martin, McRae, Morrison, Pendleton, Ragan, Shelby, Tucker, Vance, Vick, Vannorman—21.

Those who voted in the negative are—

Messrs. Carter, Ellis, Keegan, McDonald—4

Mr. Tucker submitted the following resolution:

Resolved, That the Speaker of this House shall not sign and certify the account of any member until the same shall on motion be ordered by the House.

Mr. Bingham moved the indefinite postponement of said resolution.

Mr. Howard moved for leave to amend the same.

The Speaker decided the motion out of order; from which decision of the chair, Mr. Howard appealed to the House.

And the question being put,

Shall the decision of the chair stand as the decision of the House?

It was decided in the affirmative.

The question was then taken on the motion made by Mr. Bingaman, for an indefinite postponement of said resolution—

And decided in the affirmative.

The bill to be entitled

An act to reduce into one the several acts concerning the mode of election and jurisdiction of Justices of the Peace in this State—

Was read the third time.

Mr. Howard moved to amend said bill by way of rider as follows:

Section — *Be further enacted*, That any party who shall conceive himself injured by the judgment of any Justice of the Peace, may at his option have a right to appeal directly to the Circuit Court in the first instance, instead of appealing to a jury before said Justice.

Whereupon,

Said rider was read the first time.

Mr. Powell moved that the same be rejected.

After debate—

The previous question was called for by Mr. Ellis, and being demanded by a majority of the members present:

The said previous question was then put, viz:

Shall the main question be now put?

And decided in the affirmative.

The said main question was then put, viz:

Shall the amendment be rejected?

And decided in the affirmative.

YEAS 17—NAYS 10.

The yeas and nays being called for by three of the members present:

Those who voted in the affirmative are—

Messrs. Speaker, Beasley, Beatie, Bole, Brewer, Demoss, Ellis, Keegan, Martin, McRae, McDonald, Pendleton, Powell, Ragan, Shurtleff, Vance, Vannorman—17.

Those who voted in the negative are—

Messrs. Bell, Boyd, Carter, Howard, Learned, Morrison, Shelby Tucker, Vick, Vannerson—10.

Mr. Tucker moved that said bill be committed to a committee of the whole House forthwith;

And the question being taken thereon,

It was decided in the negative.

The question then recurred on the passage of said bill.

After debate—

The previous question was called for by Mr. Shurtleff, and being demanded by a majority of the members present—

The said previous question was then put, viz:

Shall the main question be now put?

And decided in the affirmative.

The said main question was then put, viz:

Shall the bill pass?

And decided in the affirmative.

So the bill passed.

Mr. Boyd moved to amend the title of said bill as follows:

Strike out the words "to reduce into one," and insert the words "to declare in force the several acts," and insert at the end the words "for other purposes."

And the question being taken thereon,

It was decided in the affirmative.

The question was then taken on the title of said bill as amended;

And decided in the affirmative.

Ordered, that the clerk carry said bill to the Senate, and request their concurrence therein.

Mr. Shurtleff, from the joint committee on enrolled bills made the following report.

MR. SPEAKER:

The joint committee on enrolled bills, did on this day present to his Excellency the Governor, for his approval and signature, bills of the following titles, to wit:

An act to carry into effect, and put in force an act therein named.

An act for the relief of James Reed, Tax Collector of Wilkinson county.

An act to alter and amend an act, to incorporate the town of Columbus, in the county of Monroe, passed June 27th, 1822, and for other purposes.

An act to provide for the location of a permanent Seat of Justice for Madison county.

On motion of Mr. Tucker,

The House proceeded to consider the bill to be entitled

An act, to establish and organize a separate superior Court of Chancery, and to define the powers and jurisdiction thereof.

Mr. Vannorman moved that the House forthwith resolve itself into a committee of the whole on said bill;

And the question being taken thereon,

It was decided in the negative.

It was then moved by Mr. Tucker, that said bill be amended as follows:

Strike out in the 5th section all after the word "the" in the first line, to the word "said" in the fifth line.

After debate—

The previous question was called for by Mr. Vannerson, and being demanded by a majority of the members present:

The said previous question was then put, viz:

Shall the main question be now put?

And decided in the affirmative.

The said main question was then put, viz:

Shall the amendment be adopted?

And decided in the negative.

YEAS 7—NAYS—19.

The yeas and nays being called for by three of the members present:

Those who voted in the affirmative are—

Messrs. Beasley, Beatie, Bell, Boyd, Tucker, Vance, Vannorman—7.

Those who voted in the negative are—

Messrs. Speaker, Brewer, Carter, Demoss, Ellis, Howard, Keegan, Learned, Martin, McRae, McDonald, Morrison, Pendleton, Powell, Ragan, Shelby, Shurtleff, Vick, Vannerson—19.

Mr. Tucker moved to amend said bill as follows—

Strike out in the 6th section, after the word “the” in the first line, to the word “take” in the fourth line, and insert in lieu thereof the words “clerks of the Superior Court of Chancery shall be elected by the qualified voters of the counties composing each Chancery District, who shall.”

After debate—

The previous question was called for by Mr. Powell, and being demanded by a majority of the members present—

The said previous question was then put, viz:

Shall the main question be now put?

And decided in the affirmative.

The said main question was then put, viz:

Shall the amendment be adopted?

And decided in the affirmative.

YEAS 15—NAYS 13.

The yeas and nays being called for by three of the members present:

Those who voted in the affirmative are—

Messrs. Speaker, Beasley, Beatie, Bell, Boyd, Brewer, Ellis, Learned, Martin, Morrison, Ragan, Shurtleff, Tucker, Vance, Vannorman—15.

Those who voted in the negative are—

Messrs. Bingaman, Carter, Demoss, Howard, Keegan, McRae, McDonald, Pendleton, Powell, Richardson, Shelby, Vick, Vannerson—13.

It was then moved by Mr. Tucker, that said bill be further amended as follows:

Section — That all suits, actions, bills, complaints and proceedings whatever, which shall be pending in the Superior Court of Chancery of this State, at the last term thereof, next preceding the first terms of said Court, held under the provisions of this act shall be and the same are hereby transferred to the first terms of said Court, held under the provisions of this act—

And the question being taken thereon,

It was decided in the affirmative.

And then the House adjourned till half past 6 o'clock, P. M.

HALF PAST 6 O'CLOCK, P. M.

The House met pursuant to adjournment—

And proceeded to the consideration of the bill to be entitled

An act to establish and organize a separate Superior Court of Chancery, and to define the powers and jurisdiction thereof, when

It was moved by Mr. Ragan, that the vote taken on the amendment in relation to the election of the clerks of said Court, be re-considered.

After debate—

The previous question was called for by Mr. McDonald, and being demanded by a majority of the members present,

The said previous question was then put, viz:

Shall the main question be now put?

And decided in the affirmative.

The said main question was then put, viz:

Shall the vote taken on said amendment be reconsidered?

And decided in the affirmative.

The question was then taken on the re-adoption of said amendment.

And decided in the negative.

The question then recurred on the passage of said bill.

After debate—

The previous question was called for by Mr. Bingaman, and being demanded by a majority of the members present—

The said previous question was then put, viz:

Shall the main question be now put?

And decided in the affirmative.

The said main question was then put, viz:

Shall the bill pass?

And decided in the affirmative.

Ordered, that the title of said bill be as stated, and that the clerk carry said bill to the Senate, and request their concurrence therein.

A message from the Senate, by Mr. Gilbert, their acting Secretary:

MR. SPEAKER:

The President of the Senate has signed bills from this House of the titles following, to wit:

An act to make valid certain acts of William McGehee, as Treasurer of the county of Jones.

An act to incorporate the town of Jackson, in Hinds county.

An act to incorporate the Antioch Baptist Church, in Warren county.

An act to alter and amend the charter of the incorporation of the President and Trustees of the Franklin Academy, and to repeal an act entitled "an act to alter and amend the charter of the incorporation of the President and Trustees of the Franklin Academy, in the county of Lowndes, and for other purposes, approved December 19th, 1831."

An act to incorporate the Big Black bridge and turnpike road company.

An act for the relief of William A. Woods.

Which last mentioned bill originated in the Senate.

He has also signed bills from this House of the titles following, to wit:

An act to provide for the location of a permanent seat of Justice for Madison county.

An act for the relief of James Reed, tax collector of Wilkinson county.

An act to carry into effect and put in force an act therein named, and

An act to alter and amend an act to incorporate the town of Columbus, in the county of Monroe, passed June 27th, 1822, and for other purposes.

The Senate have passed a bill from this House, to be entitled

An act, to carry into effect that part of the fourth article of the Constitution, which provides for the establishment of a Court of Probates in the several counties of this State.

The Senate have also passed a bill from this House to be entitled

An act, to repeal an act to amend an act entitled "an act, to extend legal process into that part of the State, now occupied by the Chickasaw and Choctaw tribe of Indians, approved February 4th, 1829."

A bill to be entitled

An act, better to provide for the payment of persons summoned to guard criminals, with an amendment thereto.

A bill to be entitled

An act to amend the several laws now in force, incorporating and concerning the town of Woodville, with an amendment thereto.

A bill to be entitled

An act to define the duties of the State Treasurer, and to establish his salary with an amendment thereto.

A bill to be entitled

An act, to define the duties of the Auditor of Public Accounts, and to establish his salary, with an amendment thereto.

A bill to be entitled

An act, to amend an act entitled "An act, for the relief of John Carraway, passed January 21st, 1833."

A bill to be entitled

An act to amend an act, incorporating the town of Clinton, passed February the 12th, 1830; in which several amendments I am instructed to ask the concurrence of this House.

The Senate have receded from their disagreement to the amendments made by the House of Representatives, to the bill to be entitled

An act, to regulate elections in this State, and have concurred in the same.

And then he withdrew.

On motion of Mr. Bingaman,

The House concurred in the amendments made by the Senate, to the bills to be entitled

An act, to amend the several acts now in force, incorporating and concerning the town of Woodville; and

An act to define the duties of the Auditor of Public Accounts, and to establish his salary.

On motion of Mr. Learned,

The House concurred in the amendments made by the Senate, to the bills to be entitled, to wit:

An act to define the duties of the State Treasurer, and to establish his salary; and

An act better to provide for the payment of persons summoned to guard criminals.

Ordered, that the clerk acquaint the Senate therewith.

Mr. Vannorman from the joint committee on enrolled bills, made the following report.

MR. SPEAKER:

The joint committee on enrolled bills, have this day examined bills of the following titles, to wit:

An act to provide for running and marking the line between the counties of Yazoo and Holmes, and for other purposes.

An act to alter and amend the second section of the seventh article of the Constitution, under the head or title of "slaves."

An act to repeal a part of the one hundred and sixth chapter of the Revised Code—and have found the same correctly enrolled.

The Speaker signed said bills.

Ordered, that the clerk carry them to the Senate for the signature of the President thereof.

The House according to the order of the day, resolved itself into a committee of the whole on the bill from the Senate to be entitled

An act to provide for selling the thirty six sections of land granted by the United States to the State of Mississippi, for a seminary of learning, and to dispose of the proceeds of said sale; Mr. Howard in the chair.

And after some time spent therein,

A message from the Governor was announced at the bar of the House by the door-keeper.

Whereupon,

The Speaker resumed the chair; when

Mr. Allen, private Secretary to the Governor, came into the Hall of the House and delivered the following message from His Excellency:

MR. SPEAKER:

I am directed by the Governor to inform this House that he has to day signed bills with the titles following, to wit:

An act to carry into effect and put in force an act therein named.

An act to provide for the location of a permanent seat of justice for Madison county.

An act for the relief of James Reid, the tax collector of Wilkinson county; and

An act to alter and amend an act to incorporate the town of Columbus, in the county of Monroe, passed, June 27, 1822, and for other purposes.

All of which bills originated in this House.

And then he withdrew.

When the House resumed in committee of the whole the consideration of the said bill; Mr. Howard again in the chair.

And after some further time spent therein,

A message from the Senate was announced at the bar of the House by the door-keeper.

Whereupon,

The Speaker resumed the chair; when

The following message was received from the Senate, by Mr. Gilbert, their acting Secretary:

MR. SPEAKER:

The Senate have receded from their amendments to the bill to be entitled

An act concerning the Attorney General and District Attorneys.

And then he withdrew.

When the House resumed in committee of the whole the consideration of the said bill; Mr. Howard again in the chair.

And after some further time spent therein,

The Speaker resumed the chair; when

Mr. Howard reported, that the committee of the whole House had, according to order, had said bill under consideration, had made an amendment thereto, and had instructed him to report the same as amended.

On motion of Mr. Howard,

Ordered, that said report be received and agreed to.

Mr. Keegan moved that said bill lie on the table.

And the question being taken thereon,

It was decided in the negative.

It was then moved by Mr. Tucker, that said bill be amended as follows:

Amend 7th section by inserting after the word "duty," in line 12, the following proviso: Provided, that said commissioners shall render an account of the days that they, and each of them have actually been engaged under the provisions of this act, with an affidavit of the correctness of such account.

And the question being taken thereon,

It was decided in the affirmative.

On motion of Mr. Bingaman,

The rule was dispensed with, and said amendment considered as engrossed, and the said bill as amended read the third time, and put upon its passage.

And the question being put, shall the bill pass?

It was decided in the affirmative.

Ordered, that the title of said bill be as stated, and that the clerk notify the Senate that the same has passed the House, and request their concurrence in the said amendments.

Mr. Morrison presented the petition of James Phillips, praying an allowance for expences incurred in going to and from Natchez to pay to

the Bank of the State of Mississippi, the debt due by the State to the Bank.

Mr. Tucker moved that the same do lie on the table.

And the question being taken thereon,

It was decided in the negative.

Whereupon,

On motion of Mr. Morrison,

Ordered, that said petition be committed to the committee of the whole House on the appropriation bill.

The bill to be entitled

An act making certain appropriations therein named—

Was in order for a committee of the whole House.

On motion of Mr. Bingaman,

Ordered, that the order on said bill be postponed until 9 o'clock A. M. on to-morrow.

The bill to be entitled

An act to establish and change election precincts in certain counties—

Was in order for a committee of the whole House.

On motion of Mr. Keegan,

Ordered, that the order on said bill be postponed until to-morrow.

The bill to be entitled

An act to amend "an act to provide for the election of a public printer, prescribe his duties, and fixing the prices of the public printing"—

Was in order for a committee of the whole House.

On motion of Mr. Bingaman,

Ordered, that the order on said bill be postponed until to-morrow.

The House, according to the order of the day, resolved itself into a committee of the whole, on the bill to be entitled

An act to continue in force an act, entitled "an act to establish a court of criminal jurisdiction in and for the county of Adams"—Mr. Powell in the chair.

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Powell reported, that the committee of the whole House had, according to order, had said bill under consideration, and had instructed him to report the same without amendment.

On motion of Mr. Powell,

Ordered, that said report be received and agreed to.

On motion of Mr. Bingaman,

The rule was dispensed with, and said bill considered as engrossed, read a third time, and put upon its passage.

And the question being put, shall the bill pass?

It was decided in the affirmative.

Ordered, that the title of said bill be as stated, and that the clerk carry said bill to the Senate, and request their concurrence therein.

The resolution concerning the conduct of the Hon. George Poindexter, in the Congress of the United States—

Was in order for a committee of the whole House.

Mr. McRae moved that the order on said bill be postponed until two o'clock, P. M., on to-morrow.

And the question being taken thereon,

It was decided in the negative.

Mr. Carter moved that the same do lie on the table;

And the question being taken thereon,

It was decided in the negative.

YEAS 5—NAYS 21.

The yeas and nays being demanded by three of the members present:

Those who voted in the affirmative are—

Messrs. Speaker, Carter, McRae, Richardson, Vannerson—5.

Those who voted in the negative are—

Messrs. Beasley, Beatie, Bell, Bole, Boyd, Brewer, Demoss, Dixon, Ellis, Howard, Keegan, Learned, Martin, Morrison, Powell, Keegan, Shelby, Shurtleff, Tucker, Vance, Vannorman—21.

On motion of Mr. Beatie,

Ordered, that the order on said bill be postponed until 9 o'clock, A. M., on to-morrow.

The House according to the order of the day, resolved itself into a committee of the whole, on the bill to be entitled

An act, to provide more effectually for the collection of fines to the use of the State, adjudged in cases of gaming—Mr. Ragan in the chair.

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Ragan reported, that the committee of the whole House had, according to order, had said bill under consideration, had made sundry amendments thereto, and had instructed him to report the same as amended.

Mr. Ragan moved that said report be received and agreed to.

Mr. Keegan called for a division of the question.

When it was taken on receiving said report,

And decided in the affirmative.

The first of said amendments being read as follows:

Section 8. *Be it further enacted*, That whenever any person convicted under the provisions of this act, is insolvent and imprisoned, as herein provided, the necessary expences shall be paid out of the county Treasury of the county, where said person is so fined and imprisoned. *And provided also*, That the amount of such fines so imposed, if collected, shall *enure* to, and be paid into the county Treasury of the proper County;

And the question being taken thereon,

It was decided in the affirmative.

YEAS 17—NAYS 4.

The yeas and nays being called for by three of the members present:

Those who voted in the affirmative are—

Messrs. Speaker, Beatie, Bingaman, Boyd, Brewer, Demoss, Dixon, Howard, Martin, Morrison, Ragan, Shelby, Shurtleff, Tucker, Vance, Vick, Vannerson—17.

Those who voted in the negative are—

Messrs. Beasley, Bell, Keegan, Learned—4.

The 2d and 3d amendments were read and concurred in.

It was then moved by Mr. Keegan further to amend said bill by adding thereto the following section:

And be it further enacted, That if any peace officer of this State, shall know that any of the penal laws thereof have been violated, and shall fail to prosecute, so that said individual shall be made amenable to the laws for said offence he shall be prosecuted for the same, and on conviction shall be fined in a sum not less than five hundred, nor exceeding one thousand dollars, and shall be afterwards disqualified from holding any office in this State—and members of the Legislature shall be deemed peace officers under the provisions of this act—

And the question being taken thereon,

It was decided in the negative.

YEAS 3—NAYS 16.

The yeas and nays being called for by three of the members present:

Those who voted in the affirmative are—

Messrs. Dixon, Keegan, Learned—3.

Those who voted in the negative are—

Messrs. Speaker, Beasley, Beatie, Bell, Bingaman, Boyd, Demoss, Martin, Morrison, Richardson, Shelby, Shurtleff, Tucker, Vance, Vick, Vannerson—16.

On motion of Mr. Bingaman,

Ordered, that said bill be engrossed, and made the order of the day for a third reading on to-morrow.

The bill from the Senate, to be entitled

An act to amend an act entitled "an act to revise the militia system, approved, February 12th, 1830."

Was read the second time.

Mr. Boyd moved, that said bill lie on the table;

And the question being taken thereon,

It was decided in the negative.

On motion of Mr. Morrison,

The House forthwith resolved itself into a committee of the whole on said bill; Mr. Brewer in the chair,

And after some time spent therein,

The Speaker resumed the chair, when

Mr. Brewer reported, that the committee of the whole House had, according to order, had said bill under consideration, and had instructed him to report the same without amendment.

On motion of Mr. Brewer,

Ordered, that said report be received and agreed to.

It was then moved by Mr. Tucker, to amend said bill as follows:

Amend section 2d, by striking out, after the word "respectively," in the fifth line the words "for the term of four years from the date of their commissions," and insert "during the term of the office of the Governor making such appointment."

After debate—

The previous question was called for by Mr. Martin, and being demanded by a majority of the members present.

The said previous question was then put, viz:

Shall the main question be now put?

And decided in the affirmative.

The said main question was then put, viz:

Shall the said amendment be adopted?

And decided in the negative.

It was then moved by Mr. Ragan, that said bill be amended as follows:

Section 3d, line 7th, strike out all after the word "treasury."

And the question being taken thereon,

It was decided in the negative.

Mr. Demoss moved, that the rule be dispensed with and that said bill be read the third time forthwith and put upon its passage;

And the question being taken thereon,

It was decided in the negative.

Mr. Vannerson, called for the consideration of the bill to be entitled

An act to abolish the third Chancery District;

And the question being taken thereon,

It was decided in the negative.

And then the House adjourned.

Saturday, March 2, 1833.

The House met pursuant to adjournment.

Mr. Bell from the joint committee on claims made the following report:

MR. SPEAKER:

The joint committee on claims to whom was referred the claim of A. M. B. Thompson for apprehending and securing in the jail of Wilcox county, in the State of Alabama, by virtue of a proclamation issued by the Governor of this State, in the year 1829, Doctor John W. Boyd, for the crime of murder, have had the same under consideration, and not being able to come to any determination, beg leave to refer the same to the consideration of the House.

The same committee have had before them the claims of Lewis Whiteside, and Joseph Pierce, for distributing the Journals of the Convention, and for wood, and water, furnished the Legislature, the present session,

and not having time properly to investigate the same, beg leave to refer the same to the committee of the whole with the appropriation bill.

On motion of Mr. Bell,

Ordered, that said report be received and agreed to.

Mr. Vick made the following report:

MR. SPEAKER:

The select committee, to which was referred so much of the Governor's message as relates to internal improvement, have had the same under consideration, and have instructed me to report, that it is inexpedient at this time to adopt any general system of internal improvement, and ask to be discharged from the further consideration of that subject.

On motion of Mr. Vick.

Ordered, that said report be received and agreed to.

A message from the Senate, by Mr. Gilbert, their acting Secretary:

MR. SPEAKER:

The President of the Senate has this day signed bills of the following titles, to wit:

A bill to be entitled

An act to repeal a part of the 106th chapter, of the Revised Code.

A bill to be entitled

An act to alter and amend the 2d section of the 7th article of the Constitution, under the head or title "Slaves."

A bill to be entitled

An act to provide for running and marking the line between the counties of Yazoo and Holmes, and for other purposes.

All which originated in this House.

And then he withdrew.

According to the order of the day, the House resolved itself into a committee of the whole on the resolution concerning the conduct of the Honorable George Poindexter, in the Congress of the United States; Mr. Dixon in the chair.

And after some time spent therein.

The Speaker resumed the chair; when

Mr. Dixon reported, that the committee of the whole House had, according to order, had said resolution under consideration, and had instructed him to report the same without amendment.

On motion of Mr. Dixon,

Ordered, that said report be received and agreed to.

Whereupon,

On motion of Mr. Dixon,

The rule was dispensed with, said resolution considered as engrossed, read a third time forthwith, and put upon its passage.

It was then moved by Mr. Shelby, that there be a call of the House.

And the question being taken thereon.

It was decided in the affirmative.

The roll of the members was thereupon called by the clerk, when it

was found that the following named members answered to their names:

Messrs. Beasley, Beatie, Bell, Bingaman, Boyd, Demoss, Dixon, Ellis, Harper, Keegan, Learned, Martin, McRae, McDonald, Morrison, Powell, Ragan, Richardson, Shelby, Tucker, Vance, Vick, Vannerson, Vannorman—24.

On motion of Mr. Shelby,

Ordered, that the absent members be sent for.

On motion of Mr. Vannorman,

Mr. Carter was excused from attendance on the House until 2 o'clock, P. M. on this day, and Mr. Bole the remainder of the Session.

It was then ordered, on motion of Mr. Vance, that further action on the call of the House be dispensed with.

After debate—

Mr. Harper moved the previous question.

And the question being taken thereon,

It was decided in the negative.

YEAS 11—NAYS 16.

The yeas and nays being called for by three of the members present.

Those who voted in the affirmative are—

Messrs. Speaker, Beasley, Dixon, Ellis, Harper, Martin, Pendleton, Powell, Shurtleff, Vance, Vannorman—11.

Those who voted in the negative are—

Messrs. Beatie, Bell, Bingaman, Demoss, Howard, Keegan, Learned, McRae, McDonald, Morrison, Ragan, Richardson, Shelby, Tucker, Vick, Vannerson—16.

It was then moved by Mr. Tucker, that there be a call of the House.

And the question being taken thereon,

It was decided in the negative.

The question was then taken on the passage of said resolution,

And decided in the affirmative.

YEAS 22—NAYS 7.

The yeas and nays being called for by three of the members present:

Those who voted in the affirmative are—

Messrs. Beasley, Beatie, Bell, Bingaman, Boyd, Brewer, Demoss, Dixon, Ellis, Keegan, Learned, Martin, McDonald, Morrison, Pendleton, Powell, Ragan, Shelby, Shurtleff, Tucker, Vance, Vannorman—22.

Those who voted in the negative are—

Messrs. Speaker, Harper, Howard, McRae, Richardson, Vick, Vannerson—7.

Ordered, that the clerk carry said resolution to the Senate, and request their concurrence therein.

A message from the Senate, by Mr. Gilbert, their acting Secretary.

MR. SPEAKER:

The Senate have disagreed to the first amendment, and agreed to the second amendment made by the House of Representatives, to the bill to be entitled

An act, to provide for selling the thirty-six sections of land, granted by the United States, to the State of Mississippi, for a seminary of Learning, and to dispose of the proceeds of said sales.

The Senate have this day passed the report and accompanying resolutions of the select committee on the resolutions from the State of Georgia, relative to the call of a Convention of the States, which report and resolutions first aforesaid originated in this House.

The Senate have this day passed a bill from this House to be entitled
An act, to declare in force the several acts concerning the mode of election and jurisdiction of Justices of the Peace in this State, and for other purposes.

The Senate have this day passed the bill from the House of Representatives, to be entitled

An act, to establish and organize a separate superior Court of Chancery, and to define the powers and jurisdiction thereof, with sundry amendments thereto, in which amendments I am instructed to ask the concurrence of this House.

And then he withdrew.

When on motion of Mr. Keegan,

The House receded from their first amendment to the bill from the Senate, entitled

An act, to provide for selling the 36 sections of land granted by the United States, to the State of Mississippi, for a Seminary of Learning, and to dispose of the proceeds of said sale.

Ordered, that the clerk acquaint the Senate therewith.

Mr. Ragan moved that the House disagree to the first amendment made by the Senate, to the bill to be entitled

An act, to establish and organize a separate superior Court of Chancery, and to define the powers and jurisdiction thereof.

After debate—

The previous question was called for by Mr. Pendleton, and being demanded by a majority of the members present:

The said previous question was then put, viz:

Shall the main question be now put?

And decided in the affirmative.

The said main question was then put, viz:

Shall the said first amendment be disagreed to by the House?

And decided in the affirmative.

YEAS 17—NAYS 9.

The yeas and nays being called for by three of the members present:

Those who voted in the affirmative are—

Messrs. Beatie, Bingaman, Boyd, Brewer, Ellis, Harper, Keegan, Learned, Martin, McRae, McDonald, Pendleton, Powell, Ragan, Shurtleff, Vance, Vannorman—17.

Those who voted in the negative are—

Messrs. Beasley, Bell, Howard, Morrison, Richardson, Shelby, Tucker, Vick, Vannerson—9.

On motion of Mr. Bingaman,

The House disagreed to the second and third of said amendments.

Ordered, that the clerk acquaint the Senate therewith.

Mr. Shurtleff, from the joint committee on enrolled bills, made the following report:

MR. SPEAKER:

The joint committee on enrolled bills have examined bills of the following titles, to wit:

An act to carry into effect that part of the fourth article of the Constitution which provides for the establishment of a Court of Probates in the several counties of this State.

An act supplementary to an act entitled "an act further to amend an act, entitled an act to establish a Planter's Bank in the State of Mississippi, approved February 10th, 1830, and the acts supplementary thereto."

An act to provide for the election of certain officers therein named.

An act to prescribe the mode of summoning and empannelling jurors in capital cases.

An act to amend an act incorporating the town of Clinton, passed February 12th, 1830.

An act to repeal an act entitled "an act to amend an act entitled an act to extend legal process into that part of the state now occupied by the Chickasaw and Choctaw tribe of Indians, passed February 4th, 1829."

An act to amend an act entitled "an act for the relief of John Caraway, passed January 21st, 1833."

An act to take the census of the State of Mississippi, for the year 1833.

An act to repeal the sixteenth section of an act entitled "an act respecting the appointment and duties of Sheriff, passed June 15th, 1822, and for other purposes."

An act for the distribution of the Literary fund among the several counties in this state, and for other purposes.

An act to organize and establish Circuit Courts and to define their powers in law and equity.

An act to be entitled an act to provide for the erection of levees in the county of Washington; and have found the same correctly enrolled.

The Speaker signed said bills.

Ordered, that the clerk carry them to the Senate for the signature of the President thereof.

The joint committee on enrolled bills have this day presented to His Excellency the Governor, for his approval and signature, bills of the following titles, to wit:

An act to carry into effect that part of the fourth article of the Constitution which provides for the establishment of a Court of Probates in the several counties of this State.

An act supplementary to an act entitled "an act further to amend an act entitled an act to establish a Planter's Bank in the State of Mississippi, approved February 10th, 1830, and the acts supplemental thereto."

An act to provide for the election of certain officers therein named.

An act to prescribe the mode of summoning and empanelling jurors in capital cases.

An act to amend an act incorporating the town of Clinton, passed February 12th, 1830.

An act to repeal an act entitled "an act to amend an act entitled an act to extend legal process into that part of the State now occupied by the Chickasaw and Choctaw tribe of Indians, passed February 4th, 1829."

An act to amend an act entitled an act for the relief of John Caraway, passed January 21st, 1833.

An act to take the census of the State of Mississippi, for the year 1833.

An act to repeal the sixteenth section of an act entitled "an act respecting the appointment and duties of Sheriffs, passed June 15th, 1822, and for other purposes."

An act for the distribution of the Literary fund among the several counties in this State, and for other purposes.

An act to organize and establish Circuit Courts and to define their powers in law and equity.

An act to be entitled an act to provide for the erection of levees in the county of Washington.

An act to repeal a part of the one hundred and sixth chapter of the revised Code.

An act to provide for running and marking the line between the counties of Yazoo and Holmes and for other purposes.

An act to alter and amend the second section of the seventh article of the Constitution, under the head or title "slaves."

Mr. Bell called for the consideration of the resolution from the Senate in relation to the General Land Office—

And the question being taken thereon,

It was decided in the negative.

The bill to be entitled

An act making certain appropriations therein named,

Was in order for a committee of the whole House.

On motion of Mr. McDonald,

Ordered, that the order on said bill be postponed until 2 o'clock, P. M. on this day.

And then the House adjourned 'til 2 o'clock, P. M.

2 O'CLOCK, P. M.

The House met pursuant to adjournment—

Mr. Shurtleff introduced a resolution in relation to printing the laws of the State—

Which was read the first time.

On motion of Mr. Shurtleff,

The rule was dispensed with and said resolution read the second time.

On motion of Mr. Shurtleff,

The rule was further dispensed with and said resolution considered as engrossed, read a third time and put upon its passage.

And the question being put, shall the resolution pass?

It was decided in the affirmative.

Ordered, that the clerk acquaint the Senate therewith, and request their concurrence therein.

Mr. Morrison presented the account of T. B. J. Hadley for candles, furnished for the use of the Legislature.

On motion of Mr. Morrison,

Ordered, that said account be referred to the committee of the whole House, on the appropriation bill.

The House according to the order of the day, resolved itself into a committee of the whole, on the bill to be entitled

An act, making certain appropriations therein named—Mr. Bingaman in the chair.

And after some time spent therein,

A message from the Senate was announced at the bar of the House by the door-keeper.

Whereupon,

The Speaker resumed the chair; when

The following message was received from the Senate, by Mr. Gilbert, their acting Secretary:

MR. SPEAKER:

The Senate have refused to pass a resolution concerning the conduct of the Honorable George Poindexter in the Congress of the United States.

They insist on their amendments to the bill to be entitled

An act, to establish and organize a separate Superior Court of Chancery, and to define the powers and jurisdiction thereof.

And then he withdrew.

When the House resumed in committee of the whole, the consideration of the said bill—Mr. Bingaman again in the chair.

And after some further time spent therein,

A message from the Senate was announced at the bar of the House by the door-keeper.

Whereupon,

The Speaker resumed the chair; when

The following message was received from the Senate, by Mr. Gilbert, their acting Secretary:

MR. SPEAKER:

The Senate have rejected a resolution from this House, making it the duty of the Secretary of State, to furnish immediately copies of the Laws, passed at the present session of the Legislature, and to send a certain number of copies to each of the clerks of the Circuit Courts in the respective counties.

And then he withdrew.

When the following report was made by Mr. Shurtleff, from the committee on enrolled bills;

MR. SPEAKER:

The joint committee on enrolled bills, have examined bills of the following titles, to wit:

An act to amend the several acts now in force, incorporating and concerning the town of Woodville.

An act to define the duties of the Auditor of Public Accounts, and to establish his salary.

An act to establish boards of county police, and to define their powers and jurisdiction, and for other purposes.

And have found the same correctly enrolled.

The Speaker signed said bills.

Ordered, that the clerk carry them to the Senate for the signature of the President thereof.

On motion of Mr. Bingaman,

A committee of conference, to consist of five members, to meet such committee as may be appointed on the part of the Senate, on the subject matter of disagreement in relation to the amendments made by the Senate to the bill to be entitled

An act, to establish and organize a separate superior Court of Chancery, and to define the powers and jurisdiction thereof;

And in pursuance thereto,

Messrs. Learned, Bell, Howard, Boyd and McDonald were appointed.

Ordered, that the clerk notify the Senate thereof.

The House then resumed in committee of the whole, the consideration of the bill to be entitled

An act, making certain appropriations therein named—Mr. Bingaman again in the chair.

And after some further time spent therein,

A message from the Senate was announced at the bar of the House.

Whereupon,

The Speaker resumed the chair; when

The following message was received from the Senate, by Mr. Gilbert, their acting Secretary.

MR. SPEAKER:

The President of the Senate has this day signed bills from this House of the titles, to wit:

An act to repeal an act entitled "an act to amend an act entitled an act to extend legal process into that part of the State now occupied by the Chickasaw and Choctaw tribe of Indians, passed February 4th, 1827."

An act to carry into effect that part of the fourth article of the Constitution which provides for the establishment of a court of Probates in the several counties of this State.

An act to amend an act incorporating the town of Clinton, passed February 12th, 1830.

An act to provide for the election of certain offices therein named.

*W

An act, to amend an act entitled "An act, for the relief of John Catraway, passed January 21st, 1833."

An act to prescribe the mode of summoning and empanneling jurors in capital cases.

As follows also bills which originated in the Senate:

An act to repeal the sixteenth section of an act entitled an act respecting the appointment and duties of Sheriffs, passed June 15th, 1822, and for other purposes.

An act, to take the census of the State of Mississippi, for the year 1833.

An act to be entitled an act to provide for the erection of levees in the county of Washington.

An act for the distribution of the literary fund among the several counties in this State, and for other purposes.

An act to organize and establish Circuit Courts and to define their powers in law and equity.

An act supplementary to an act entitled an act further to amend an act entitled an act to establish a Planters' Bank in the State of Mississippi, approved February 10th, 1830, and the acts supplemental thereto.

Which last mentioned bill originated in the House of Representatives.

And then he withdrew—

When the House resumed in committee of the whole the consideration of the said bill; Mr. Bingaman again in the chair.

And after some time spent therein,

A message from the Governor was announced at the bar of the House.

Whereupon,

The Speaker resumed the chair; when

The following message was received from the Governor, by Mr. Allen, his private Secretary.

MR. SPEAKER:

I am directed by the Governor to inform this House that he has this day approved and signed bills with the titles following, to wit:

An act to provide for running and marking the line between the counties of Yazoo and Holmes, and for other purposes.

An act to repeal a part of the one hundred and sixth chapter of the Revised Code—and

An act to alter and amend the second section of the seventh article of the Constitution, under the head or title of "slaves."

All of which originated in this House.

And then he withdrew.

When the House went into committee of the whole on the general appropriation bill; Mr. Bingaman in the chair.

And after some time spent therein,

A message from the Senate was announced at the bar of the House by the door-keeper.

Whereupon,

The Speaker resumed the chair; and

The following message was received from the Senate, by Mr. Gilbert, their acting Secretary:

MR. SPEAKER:

The Senate have appointed a committee of three to confer with the committee appointed by the House of Representatives, on the amendments made by the Senate to the bill to be entitled

An act, to establish and organize a separate superior Court of Chancery, and to define the powers and jurisdiction thereof.

The committee are Messrs. Guion, Morgan and Smith.

And then he withdrew.

When the House went into committee of the whole again, on the General Appropriation Bill; Mr. Bingaman in the chair.

And after some further time spent therein,

The Speaker resumed the chair; when

Mr. Bingaman reported, that the committee of the whole House had, according to order, had said bill under consideration, had made some progress therein, but not having come to any determination, had instructed him to ask leave to sit again at half past six o'clock, P. M.

On motion of Mr. Bingaman,

Ordered, that said report be received and agreed to.

Mr. Learned made the following report:

MR. SPEAKER:

The committee of conference, to whom was referred the matter of disagreement between the Senate and House of Representatives, in relation to the amendments made by the Senate to the bill to be entitled

An act to establish and organize a separate Superior Court of Chancery, and to define the powers and jurisdiction thereof;

Have had the subject under consideration, and have instructed me to report that they are of opinion that this House shall concur in said amendments; because they believe that the Constitution does not authorize the establishment of more than one Chancery Court; and they would invite the attention of the House to the obvious distinction between the old and new Constitution upon this subject.

C. D. LEARNED,

Chairman of the committee on part of House.

Mr. Learned moved that said report be received and agreed to.

A division of the question being called for,

It was taken first on receiving said report,

And decided in the affirmative.

It was then moved by Mr. Keegan that the same do lie on the table;

And the question being taken thereon,

It was decided in the negative.

The question was then taken on agreeing to said report,

And decided in the affirmative.

Ordered, that the clerk acquaint the Senate therewith.

And then the House adjourned till half past 6 o'clock, P. M.

HALF PAST 6 O'CLOCK, P. M.

The House met pursuant to adjournment—

Mr. Shurtleff, from the joint committee on enrolled bills, made the following report:

MR. SPEAKER:

The joint committee on enrolled bills did, on this day, present to his Excellency the Governor, for his approval and signature, bills of the following titles, to wit:

An act, to amend the several acts now in force, incorporating and concerning the town of Woodville.

An act, to define the duties of the Auditor of Public Accounts, and to establish his salary.

An act, to establish board of county police, and to define their powers and jurisdiction, and for other purposes.

They have examined a bill with the following title, to wit.

An act to provide for selling the thirty six sections of land granted by the United States to the State of Mississippi, for a seminary of learning, and to dispose of the proceeds of said sale.

And have found the same correctly enrolled.

The Speaker signed said bill.

Ordered, that the clerk carry it to the Senate for the signature of the President thereof.

Mr. Vannerson made the following report:

MR. SPEAKER:

The select committee to whom was referred the resolution, "to take into consideration the propriety of granting relief to the former purchasers of lots in the town of Jackson—also, for the relief of public officers, who may have improved any lot or lots in said town," have had the same under consideration, and beg leave to report, that they are of opinion that not only the public officers, but also the citizens and occupants of town lots in the town of Jackson, should in some form, the relief extended to them; that from the peculiar situation of the town lands, it was impossible for them to obtain in their own right, a lot or lots on which to erect their improvements, there having been no sales of the lots offered since the year 1823—that, notwithstanding this embarrassing situation in which they were placed, many of them have gone on to make considerable improvements, while others have purchased those already made by former settlers, for which they have paid their money, and made additional improvements thereon.

Your committee, therefore, in arriving at the most equitable conclusion for affording them relief, have been induced to adopt the principles contained in the annexed bill, which they beg leave to report—which is to allow them a fair valuation of the improvements on the lots occupied by them respectively, under such rules and regulations as is therein prescri-

hed. Having come to this conclusion, and having prepared the bill, your committee beg leave to be discharged.

WM. VANNERSO, Chairman

On motion of Mr. Vannerson,

Said report was received; and

On motion of Mr. Bingaman,

The same was laid on the table.

According to the order of the day, the House resolved itself into a committee of the whole, on the consideration of the bill to be entitled

An act making certain appropriations therein named—Mr. Bingaman in the chair.

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Bingaman reported that the committee of the whole house had, according to order, had said bill under consideration, had made sundry amendments thereto, and had instructed him to report the same as amended.

On motion of Mr. Bingaman,

Ordered, that said report be received.

Whereupon,

On motion of Mr. Pendleton,

Ordered, that the House agree to all of said report, except the claims of Joseph Pearce and A. M. Thompson.

It was then ordered, on motion of Mr. Morrison, that the House agree to the claim of Joseph Pearce.

Mr. Morrison moved that the House agree to the claim of A. M. Thompson.

After debate—

The previous question was called for by Mr. Tucker, and being demanded by a majority of the members present:

The said previous question was then put, viz:

Shall the main question be now put?

And decided in the affirmative.

The said main question was then put, viz:

Shall the claim of the said A. M. Thompson be agreed to by the House?

And decided in the negative.

On motion of Mr. Bingaman,

Ordered, that said bill be engrossed and made the order of the day for a third reading at 9 o'clock, P. M., on this day.

Mr. Vannorman from the joint committee on enrolled bills, made the following report:

MR. SPEAKER:

The joint committee on enrolled bills, did on this day examine bills of the following titles, to wit:

An act better to provide for the payment of persons summoned to guard criminals.

An act to define the duties of the State Treasurer, and to establish his salary.

And have found the same correctly enrolled.

The Speaker signed said bills.

Ordered, that the clerk carry them to the Senate for the signature of the President thereof.

A message from the Senate, by Mr. Gilbert, their acting Secretary.

MR. SPEAKER:

The President of the Senate has signed bills from this House of the titles following, to wit:

An act to establish boards of county police, and to define their powers and jurisdiction, and for other purposes.

An act to amend the several acts now in force, incorporating and concerning the town of Woodville.

An act to define the duties of the Auditor of Public Accounts, and to establish his salary.

On motion of Mr. Bingaman,

The House proceeded in committee of the whole, to consider the bill to be entitled

An act, to establish and change election precincts in certain counties—
Mr. Morrison in the chair.

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Morrison reported that the committee of the whole House had, according to order, had said bill under consideration, had made sundry amendments thereto, and had instructed him to report the same as amended.

On motion of Mr. Morrison,

Ordered, that said report be received and agreed to.

On motion of Mr. Ragan,

Ordered, that said bill be engrossed and made the order of the day for a third reading at 9 o'clock, this evening.

On motion of Mr. Bell,

The House proceeded in committee of the whole, to consider the resolution from the Senate, in relation to the Surveyor General's office—Mr. Learned in the chair.

And after some time spent therein,

The Speaker resumed the chair; when

Mr. Learned reported, that the committee of the whole had, according to order, had said resolution under consideration, had made an amendment thereto, and had instructed him to report the same as amended.

On motion of Mr. Learned,

Ordered, that said report be received and agreed to.

On motion of Mr. Bell,

The rule was dispensed with, said amendment considered as engrossed, and the resolution as amended, read a third time and put upon its passage.

And the question being put, shall the resolution pass?

It was decided in the affirmative.

Ordered, that the clerk acquaint the Senate therewith.

The bill from the Senate to be entitled

An act, to amend an act entitled "An act, to revise the militia system, approved February 12th, 1830; was read the third time, and passed.

YEAS 14—NAYS 8.

The yeas and nays being demanded by three of the members present:

Those who voted in the affirmative are—

Messrs. Speaker, Beatie, Bingaman, Dixon, Keegan, Learned, Martin, McDonald, Morrison, Pendleton, Richardson, Shurtleff, Vick, Vannerson—14.

Those who voted in the negative are—

Messrs. Bell, Boyd, Carter, Ellis, Harper, Powell, Ragan, Tucker—8.

Ordered, that the title of said bill be as stated.

Mr. Shurtleff from the joint committee on enrolled bills, made the following report.

MR. SPEAKER:

The joint committee on enrolled bills, have this day presented to his Excellency the Governor, for his approval and signature, bills of the following titles, to wit:

An act to provide for selling the thirty-six sections of land, granted by the United States to the State of Mississippi, for a Seminary of Learning, and to dispose of the proceeds of said sale.

An act to define the duties of the State Treasurer, and to establish his salary.

An act better to provide for the payment of persons summoned to guard criminals.

The bill to be entitled

An act to amend an act to establish an Agricultural Bank of the State of Mississippi,

Was read the third time, and passed with its title as stated.

Ordered, that the clerk acquaint the Senate therewith, and desire their concurrence therein.

Mr. Vannorman from the committee on enrolled bills made the following report:

MR. SPEAKER:

The joint committee on enrolled bills have this day examined bills of the following titles, to wit:

An act concerning the Attorney General and District Attorneys; and

A report of the select committee on the resolution from the State of Georgia, relative to the call of a convention of the States—and have found the same correctly enrolled.

The Speaker signed said bills.

Ordered, that the clerk carry them to the Senate for the signature of the President thereof.

The bill was read the first time.
 A motion was made for the collection of dues to the new
 officers, adjourned in consequence of ignorance,
 Was read the third time and passed.

YEAS 11—NAYS 7.

The yeas and nays being called for by three of the members present:

Those who voted in the affirmative are—

Messrs. Speaker, Beatie, Bingaman, Boyd, Dixon, Morrison, Ragan,
 Shurtleff, Tucker, Vannerson, Vannorman—11.

Those who voted in the negative are—

Messrs. Bell, Carter, Ellis, Harper, McDonald, Pendleton, Powell—7.

Ordered, that the title of said bill be as stated, and that the clerk carry said bill to the Senate and request their concurrence therein.

A message from the Senate, by Mr. Gilbert, their acting Secretary:

MR. SPEAKER:

The President of the Senate has signed bills from this House of the titles following, to wit:

A bill to be entitled

An act to provide for the payment of persons summoned to guard criminals.

A bill to be entitled

An act to define the duties of the State Treasurer, and to establish his salary; and

An act to provide for selling the thirty six sections of land granted by the United States to the State of Mississippi, for a Seminary of Learning, and to dispose of the proceeds of said sale.

On motion of Mr. Tucker,

The House proceeded to consider the memorial to the Congress of the United States, for the relief of William L. S. Dearing.

Whereupon,

Said memorial was read the second time.

On motion of Mr. Tucker,

The rule was dispensed with, said memorial considered as engrossed, read the third time and passed.

Ordered, that the clerk acquaint the Senate therewith, and desire their concurrence therein.

The bill to be entitled

An act to amend an act to provide for the election of a public printer, prescribe his duties, and fixing the prices for the public printing—

Was in order for a committee of the whole House.

Mr. Boyd move the indefinite postponement of said bill.

After debate—

The previous question was called for by Mr. Carter, and being demanded by a majority of the members present:

The said previous question was then put, viz:

Shall the main question be now put?

And decided in the negative.

The House thereupon resolved itself into a committee of the whole on said bill; Mr. Carter in the chair.

And after some time spent therein,

The Speaker resumed the chair, when

Mr. Carter reported, that the committee of the whole House had, according to order, had said bill under consideration and had instructed him to report the same without amendment.

On motion of Mr. Carter,

Ordered, that said report be received and agreed to.

Mr. Morrison moved, that the further consideration of said bill be postponed until the third Monday in November next;

And the question being taken thereon,

It was decided in the negative.

Mr. Tucker moved that the rule be dispensed with, that said bill be considered as engrossed, read a third time forthwith, and put upon its passage;

And the question being taken thereon,

It was decided in the negative.

Mr. Tucker moved, that the further consideration of said bill be postponed until the fourth Monday in November next;

And the question being taken thereon,

It was decided in the negative.

Whereupon,

On motion of Mr. Harper,

Ordered, that said bill lie on the table.

The report of the committee of the whole House on the resolution to revise and consolidate the laws now in force in this State, being in order—

On motion of Mr. Tucker,

Ordered, that the same be postponed until the third Monday in November next.

YEAS 12—NAYS 10.

The yeas and nays being called for by three of the members present:

Those who voted in the affirmative are—

Messrs. Speaker, Beatie, Bell, Bingaman, Boyd, Dixon, McDonald, Morrison, Pendleton, Tucker, Vick, Vannorman—12.

Those who voted in the negative are—

Messrs. Carter, Ellis, Harper, Keegan, Learned, Martin, McRae, Powell, Ragan, Vannerson—10.

Mr. Tucker submitted the following resolution:

Whereas, a resolution has passed both Houses of this Legislature, that they will adjourn on this day, and whereas there still remains before them much important business, which, if left unfinished, will manifestly

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operate to the great injury and prejudice of the people of this State—therefore,

Be it resolved, with the concurrence of the Senate, that said resolution to adjourn be rescinded.

Mr. Dixon moved that said resolution be rejected;

And the question being taken thereon,

It was decided in the affirmative.

YEAS 11—NAYS—9.

The yeas and nays being called for by three of the members present:

Those who voted in the affirmative are—

Messrs. Bingaman, Carter, Dixon, Ellis, Harper, Keegan, Martin, McDonald, Pendleton, Powell, Vick—11.

Those who voted in the negative are—

Messrs. Beatie, Bell, Boyd, Learned, McRae, Morrison, Ragan Shurtleff, Tucker—9.

Mr. Shurtleff, from the committee on enrolled bills, made the following report:

MR. SPEAKER:

The joint committee on enrolled bills have this day examined a bill of the following title, to wit:

An act to establish and organize a separate Superior Court of Chancery, and to define the powers and jurisdiction thereof.

And have found the same correctly enrolled.

The Speaker signed said bills.

Ordered, that the clerk carry it to the Senate for the signature of the President thereof.

Mr. Boyd called for the consideration of the bill to be entitled

An act, to amend an act entitled “An act, to reduce into one the several acts concerning slaves, free negroes and mulattoes, passed June 18th, 1822.”

After debate—

The previous question was called for, by Mr. Tucker, and being demanded by a majority of the members present:

The said previous question was then put, viz:

Shall the main question be now put?

And decided in the affirmative.

The said main question was then put, viz:

Will the House consider said bill?

And decided in the negative.

YEAS 9—NAYS 12.

The yeas and nays being called for by three of the members present:

Those who voted in the affirmative are—

Messrs. Beatie, Boyd, Keegan, Martin, McRae, Pendleton, Ragan, Tucker, Vick—9.

Those who voted in the negative are—

Messrs. Bell, Carter, Dixon, Ellis, Howard, Harper, Learned, McDonald, Morrison, Powell, Vance, Vannerson—12.

A message from the Senate, by Mr. Gilbert, their acting Secretary:

MR. SPEAKER:

The Senate have passed a memorial from the House of Representatives entitled

A memorial to the Congress of the United States of America, for the relief of Wm. L. S. Dearing.

And then he withdrew.

Mr. Shurtleff, from the joint committee on enrolled bills, made the following report:

MR. SPEAKER:

The joint committee on enrolled have examined a bill of the following title, to wit:

An act to regulate elections in this State; and found the same correctly enrolled.

The Speaker signed said bill.

Ordered, that the clerk carry said bill to the Senate for the signature of the President thereof.

Mr. Beatie called for the consideration of the bill from the Senate, to be entitled

An act, to attach a part of the Indian Territory now subject to the jurisdiction of the county of Rankin, to the county of Madison;

And the question being taken thereon,

It was decided in the negative.

A message from the Governor, by Mr. Allen, his secretary:

MR. SPEAKER:

I am directed by the Governor to inform this House, that to-day he approved and signed bills with the titles following to wit:

An act to repeal an act entitled "An act, to amend an act entitled an act, to extend legal process into that part of the State, now occupied by the Chickasaw and Choctaw tribes of Indians, passed February 4th, 1829.

An act to carry into effect that part of the fourth article of the Constitution, which provides for the establishment of a Court of Probates in the several counties of this State.

An act to amend an act incorporating the town of Clinton, passed February 12th, 1830.

An act to provide for the election of certain officers therein named.

An act to amend an act entitled "an act for the relief of John Caraway, passed January 21st, 1833."

An act to prescribe the mode of summoning and empannelling jurors in capital cases.

An act, to amend the several acts now in force, incorporating and concerning the town of Woodville.

An act to define the duties of the Auditor of Public Accounts, and to establish his salary.

An act, better to provide for the payment of persons summoned to guard criminals; and

An act to define the duties of the State Treasurer, and to establish his salary.

All of which originated in this House.

And then he withdrew.

The engrossed bill to be entitled

An act, making certain appropriations therein named—

Was read the third time.

Mr. Bingaman moved to amend said bill by way of rider, by adding at the end thereof, the words following, to wit:

To Peter Isler, the sum of nine hundred and ninety-two dollars and fifteen cents for Job Printing.

Whereupon,

Said rider was read the first time.

On motion of Mr. Learned,

The rule was dispensed with, and said rider read the second time forthwith.

On motion of Mr. Bingaman,

The rule was further dispensed with, said rider considered as engrossed, read a third time, and put upon its passage with the bill.

It was then moved by Mr. Morrison, further to amend said bill by way of rider, by adding thereto, the words to wit:

The further sum of three hundred dollars to A. M. Thompson, for apprehending Dr. Boyd, charged with the crime of murder.

Whereupon,

Said rider was read the first time.

It was then moved by Mr. Morrison, that the rule be dispensed with and said rider read a second time forthwith;

And the question being taken thereon,

It was decided in the negative—

(It requiring a majority of four-fifths to dispense with a rule of the House.)

The yeas and nays being called for by three of the members present:

Those who voted in the affirmative are—

Messrs. Speaker, Beatie, Bell, Bingaman, Boyd, Carter, Ellis, Howard, Keegan, Morrison, Powell, Ragan, Vick, Vannerson—14.

Those who voted in the negative are—

Messrs. Dixon, Harper, Learned, Tucker—4.

It was then ordered, on motion of Mr. Morrison, that said rider be rejected.

Whereupon,

The question was taken on the passage of said bill, with the amendment thereto by way of rider,

And decided in the affirmative.

YEAS 15—NAYS 4.

The yeas and nays being called for by three of the members present:

Those who voted in the affirmative are—

Messrs. Speaker, Beatie, Bingaman, Boyd, Carter, Dixon, Ellis, Kee-

gan, Learned, Morrison, Ragan, Shurtleff, Vick, Vannerson, Vannorman—15.

Those who voted in the negative are—

Messrs. Bell, Harper, Powell, Tucker—4.

Ordered, that the title of said bill be as stated, and that the clerk carry said bill to the Senate and request their concurrence therein.

It was then moved by Mr. Tucker, that there be a call of the House,

And the question being taken thereon,

It was decided in the affirmative.

Whereupon,

The roll of the members was called by the clerk, when it was found that the following named members answered to their names.

Messrs. Bingaman, Boyd, Dixon, Harper, Keegan, Learned, Morrison, Powell, Richardson, Tucker, Vance, Vick, Vannerson, Vannorman—14.

On motion of Mr. Bingaman,

The absent members were sent for.

Whereupon,

A quorum of the House appearing, it was ordered, on motion of Mr. Tucker, that further action on said call be dispensed with.

Mr. Shurtleff, from the joint committee on enrolled bills, made the following report.

MR. SPEAKER:

The joint committee on enrolled bills have this day presented to His Excellency the Governor, for his approval and signature, bills of the following titles, to wit:

A report of the committee on the resolution from the State of Georgia, relative to a call of a Convention of the States.

An act concerning the Attorney General and District Attorneys.

An act to regulate elections in this state.

An act, to establish and organize a separate superior Court of Chancery, and to define the powers and jurisdiction thereof.

The Speaker signed said bills.

Ordered, that the clerk carry them to the Senate, for the signature of the President thereof.

A message from the Senate, by Mr. Gilbert, their acting Secretary.

MR. SPEAKER:

The Senate have disagreed to the amendment made by this House to the resolution in relation to the removal of the Surveyor General's office from Washington to Jackson.

The Senate have indefinitely postponed a bill from the House of Representatives to be entitled

An act to continue in force an act entitled an act to establish a Court of Criminal Jurisdiction in and for the county of Adams, and

A bill to be entitled

An act to extend the powers and privileges of the West Feliciana Rail Road Company within this State, and for other purposes.

And then he withdrew.

The engrossed bill entitled, to wit:

An act to establish and change election precincts in certain counties,

Was read the third time and passed with its title as stated.

Ordered; that the clerk acquaint the Senate therewith and request their concurrence therein.

On motion of Mr. Tucker,

Ordered, that the House recede from their amendment to the resolution from the Senate, in relation to the removal of the Surveyor General's office from Washington to Jackson.

Whereupon,

On motion of Mr. Bell,

Said vote was reconsidered, and a committee of conference appointed on the part of the House to meet such committee as may be appointed on the part of the Senate on the subject matter of disagreement between the two Houses, in relation to the amendment made by this House to the said resolution.

The committee appointed were Messrs. Bell, Beatie and Morrison.

Ordered, that the clerk acquaint the Senate therewith and desire their concurrence therein.

Mr. Shurtleff, from the joint committee on enrolled bills, made the following report:

MR. SPEAKER:

The joint committee on enrolled bills, have this day examined a bill of the following title, to wit:

An act, to declare in force the several acts concerning the mode of election and jurisdiction of Justices of the Peace in this State, and for other purposes.

Also, a memorial to the Congress of the United States of America, for the relief of Wm. L. S. Dearing.

And have found the same correctly enrolled.

The Speaker signed said bill and memorial.

Ordered, that the clerk carry them to the Senate for the signature of the President thereof.

Mr. Shurtleff, from the joint committee also, made the following report.

MR. SPEAKER:

The joint committee on enrolled bills have this day presented to his Excellency the Governor, for his approbation and signature, bills of the following titles, to wit:

An act to declare in force the several acts concerning the mode of election and jurisdiction of Justices of the Peace in this State, and for other purposes.

A memorial to the Congress of the United States of America for the relief of Wm. L. S. Dearing.

A message from the Senate, by Mr. Gilbert, their acting Secretary:

MR. SPEAKER:

The Governor has informed the Senate that he has this day approved

and signed the following bills—all of which originated in the Senate:

An act to repeal the sixteenth section of an act entitled "an act respecting the appointment and duties of Sheriffs, passed June 15th, 1822, and for other purposes."

An act to be entitled an act to provide for the erection of levees in the county of Washington.

An act, to provide for selling the 36 sections of land granted by the United States, to the State of Mississippi, for a Seminary of Learning, and to dispose of the proceeds of said sale.

An act for the distribution of the Literary fund among the several counties in this state, and for other purposes.

An act to establish boards of County Police, and to define their powers and jurisdiction, and for other purposes.

And then he withdrew.

Mr. Keegan moved that there be a call of the House;

And the question being taken thereon,

It was decided in the negative.

A message from the Governor, by Mr. Allen, his private Secretary.

MR. SPEAKER:

I am instructed by the Governor to inform this House, that he has on this day approved and signed bills with the following titles, to wit:

An act supplementary to an act entitled "an act further to amend an act entitled an act to establish a Planter's Bank in the State of Mississippi, approved February 10th, 1830, and the acts supplemental thereto."

An act, to establish and organize a separate superior Court of Chancery, and to define the powers and jurisdiction thereof.

An act concerning the Attorney General and District Attorneys; and

An act to declare in force the several acts concerning the mode of election and jurisdiction of Justices of the Peace in this State, and for other purposes.

All of which originated in this House.

And then he withdrew.

Mr. Morrison moved that there be a call of the House;

And the question being taken thereon,

It was decided in the affirmative.

The roll of the members was then called by the clerk, when it was found that the following named members were absent:

Messrs. Bell, Harper, Howard, Martin, McRae, McDonald, Pendleton, Richardson, Shelby, Vance.

Whereupon,

The said absent members were sent for.

A message from the Senate, by Mr. Gillert, their acting Secretary.

MR. SPEAKER:

The Senate have passed the bill from this House to be entitled

An act, making certain appropriations therein named, with sundry

amendments thereto, in which amendments they desire the concurrence of the House of Representatives.

And then he withdrew.

Whereupon,

The said amendments were read and concurred in by the House.

The following message was then received from the Senate, by Mr. Gilbert, their acting Secretary:

MR. SPEAKER:

The Governor has notified the Senate, that he has this day approved and signed bills with the following titles, to wit:

An act to organize and establish Circuit Courts and to define their powers in law and equity.

An act to regulate elections in this State; and

An act for the relief of William A. Woods.

All of which originated in the Senate.

The Senate have refused to concur in the resolution from the House of Representatives, proposing the appointment of a committee of conference, on the subject matter of disagreement, in relation to the amendments to the resolution, proposing the removal of the Surveyor General's office to the town of Jackson.

And then he withdrew.

When on motion of Mr. Bell, ordered, that the House recede from their amendments to the said resolution.

Ordered, that the clerk acquaint the Senate therewith.

The following message was then received from the Senate, by Mr. Gilbert, their acting Secretary:

MR. SPEAKER:

The Senate have passed a bill from the House of Representatives, entitled

An act to establish and change election precincts in certain counties.

And then he withdrew.

Mr. Shurtleff, from the joint committee on enrolled bill made the following report:

MR. SPEAKER:

The joint committee on enrolled bills have examined bills of the following titles, to wit:

An act to be entitled an act to amend an act, entitled "an act to revise the militia system, approved February 12th, 1830."

A resolution relative to the removal of the Surveyor General's office from Washington to Jackson—and have found the same correctly enrolled.

The Speaker signed said bill and resolution.

Ordered that the clerk carry them to the Senate for the signature of the President thereof.

Mr. Ragan moved that there be a call of the House.

And the question being taken thereon,

It was decided in the affirmative.

Whereupon,

The roll of the members was called by the clerk, when it was found that the following named were absent:

Messrs. Bell, Bingaman, Dixon, Harper, Howard, Keegan, McDonald, Pendleton, Powell, Richardson, Vance, Vick—12.

On motion of Mr. Shelby,

The said absent members were sent for.

A message from the Senate, by Mr. Gilbert, their acting Secretary:

MR. SPEAKER:

The President of the Senate has signed a bill to be entitled

An act to amend an act entitled an "act to revise the militia system, approved, February 12, 1830," and

A resolution relative to the removal of the Surveyor General's office from Washington to Jackson—which originated in that body.

And then he withdrew.

When Mr. Shurtleff, from the joint committee on enrolled bills, made the following report.

MR. SPEAKER:

The joint committee on enrolled bills, have this day presented to his Excellency the Governor, for his approval and signature, bills of the following titles, to wit:

An act to be entitled an act to amend an act entitled "an act to revise the militia system, approved February 12, 1830."

A resolution relative to the removal of the Surveyor General's office from Washington to Jackson.

On motion of Mr. Bingaman,

The House proceeded to consider the bill to be entitled

An act for the relief of the actual settlers in the town of Jackson.

Whereupon,

Said bill was read the first time and ordered to lie on the table.

Mr. Vannorman, from the joint committee on enrolled bills, made the following report:

MR. SPEAKER:

The joint committee on enrolled have this day examined a bill of the following title, to wit:

An act making certain appropriations therein named.

And have found the same correctly enrolled.

The Speaker signed said bill.

Ordered, that the clerk carry it to the Senate for the signature of the President thereof.

A message from the Senate, by Mr. Gilbert, their acting Secretary.

MR. SPEAKER:

The President of the Senate has signed a bill to be entitled

An act making certain appropriations therein named—

Which had its origin in this House.

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And then he withdrew.

When the following report was made by Mr. Vannorman, from the joint committee on enrolled bills.

MR. SPEAKER:

The joint committee on enrolled bills have this day examined a bill of the following title, to wit:

An act to establish and change election precincts in certain counties.

And have found the same correctly enrolled.

The Speaker signed said bill.

Ordered, that the clerk carry it to the Senate for the signature of the President thereof.

A message from the Senate, by Mr. Gilbert, their acting Secretary:

MR. SPEAKER:

The President of the Senate has signed a bill to be entitled

An act to establish and change election precincts in certain counties.

Which bill originated in the House of Representatives.

On motion of Mr. Shelby,

Resolved, that the clerk of this House be required to bring up the journals of this day and deliver over the same to the public printer.

Mr. Carter, submitted the following resolution:

Resolved, with the concurrence of the Senate, that a joint committee of three members, on the part of this House, be appointed, to act with such committee as may be appointed on the part of Senate, to wait on His Excellency, the Governor, and inform him that the Legislature have finished the business before them and are now ready to adjourn, *sine die*, unless he have further communications to make.

On motion of Mr. Carter,

The rule requiring joint resolutions to lie one day on the table was dispensed with, and said resolution read forthwith and adopted.

The committee appointed on the part of the House of Representatives were Messrs. Carter, Bingham and Shelby.

Ordered, that the clerk carry said resolution to the Senate and request their concurrence therein.

Mr. Shurtleff, from the joint committee on enrolled bills, made the following report:

MR. SPEAKER:

The joint committee on enrolled bills have this day presented to His Excellency, the Governor for his approval and signature, a bill of the following title, to wit:

An act making certain appropriations therein named.

Mr. Vannorman, from the joint committee on enrolled bills, made the following report:

MR. SPEAKER:

The joint committee on enrolled bills have this day presented to his Excellency, for his approval and signature, a bill of the following titles, to wit:

An act to establish and change election precincts in certain counties.

A message from the Senate, by Mr. Gilbert, their acting Secretary:

MR. SPEAKER:

The Senate have concurred in the resolution from the House of Representatives, appointing a joint committee to wait on the Governor and inform him that they are ready to adjourn, and have appointed on their part Messrs. Guion and McLeod.

A message from the Governor, by Mr. Allen, his private Secretary.

MR. SPEAKER:

I am directed by the Governor to inform this House, that he did on this day approve and sign bills with the titles following, to wit:

An act to establish and change election precincts in certain counties; and

An act making certain appropriations therein named.

Both of which originated in this House.

And then he withdrew.

The Speaker having retired for a short time from the chair, the following resolution was submitted to the House by Mr. Bingham, which was unanimously adopted:

Resolved, that the thanks of this house be tendered to our worthy and amiable Speaker, for the liberal, conciliatory and satisfactory manner in which he has discharged the arduous and important duties of the chair, during this protracted session and that our warmest wishes for his prosperity, health and happiness accompany him on his return to the bosom of his family and friends.

The Speaker resumed the chair; when

The following report was made by Mr. Carter.

MR. SPEAKER:

The joint committee who were appointed to wait on his Excellency, the Governor, and inform him that the two Houses had finished their business, and are ready to adjourn *sine die*, unless he had further communications to make, beg leave to report, that they have performed that duty—and were informed by his Excellency, that he had no further communications to make.

On motion of——

Resolved, that the clerk inform the Senate, that this House having gone through the business before them, are now ready to adjourn *sine die*.

A message from the Senate, by Mr. Gilbert, their acting Secretary.

MR. SPEAKER:

I am authorized to inform this House, that the Senate having finished the business before them, are now ready to adjourn *sine die*.

And then he withdrew.

When a motion was made by Mr. Bingham, that the House adjourn *sine die*,

And the question being taken thereon,

It was decided in the affirmative.

The Speaker then rose and addressed the House in the following words, to wit:

Gentlemen of the House of Representatives,

When I entered upon the discharge of the duties of the important station to which I was called at the commencement of the present session, I am persuaded you will believe me when I declare they were undertaken with a diffidence in my abilities, which scarcely could be overcome.

Experience had given me but few lessons indeed, as I had never aspired to the station which I have had the honor to occupy by your generous approbation. I had taken but little advantage of the lessons which had heretofore been offered me, and therefore was but too little versed in parliamentary rules, to discharge with ability, the important trust committed to me.

You will permit me here, gentlemen, to tender you my cordial thanks for the kindness you have professed towards me on all occasions.

I should do great injustice to my feelings were I not after viewing the very complimentary resolution which has just been adopted by this House, to express to you a few of the sentiments which agitate my bosom.

When I reflect from whence this mark of approbation emanated, I want language to express the emotions of my heart. I view it as one of the proudest moments of my life; and be assured, that whatever may be my future destiny, I shall always revert to this period as one of the happiest events of my existence.

I am too well aware that I have committed errors, but however far I may have fallen short in the discharge of the general duties assigned me, I have the smiles of an approving conscience, that every exertion has been made on my part to perform them with a strict adherence to impartiality, and a constant desire to advance the prosperity of my adopted State.

Our laws were to be revised and amended conformably to the new constitution. This circumstance necessarily protracted the session longer than ordinarily, & made your labors the more arduous and difficult. Here I am proud to assert, that your zeal and industry have been, so far as my knowledge extends, unparalleled. The hearty salutations of your constituents will, no doubt, cheer you on the return to your homes.

We are all well aware, gentlemen, that on many occasions, differences of opinion have arisen, and perhaps improper feelings may have been produced for the moment. If such has been the case, let us bring that kind and generous attribute of the heart, *forgiveness*, into action, and banish them forever from our hearts—let them be dissipated as a mist before the resplendant sun, and vanish forever in oblivion. No one can possibly entertain an opinion, for a moment, but that each of us have acted from pure and disinterested motives, and *all* for the general good.

It adds very much to my regret at parting with you, on the present occasion, as I contemplate retiring from public life, at least for some time.

Allow me again, gentlemen, to tender to each of you my unfeigned acknowledgments for the kind indulgence which you have at all times shewn

me, in my attempts to discharge the duties of the highly responsible trust which you have been pleased to confer on me.

I now congratulate you on the prospect of speedily returning to the bosoms of your families and friends, after a protracted and laborious session. You carry with you, individually, my hearty wishes for your future prosperity and happiness.—Gentlemen, I now bid you an affectionate adieu.

Whereupon,

The Speaker adjourned the House, *sine die*.

JOHN H. MALLORY, Clerk.